proportions, whose product costs $2.60 in excess of the product of the United States Steel Corporation, and no one whom I have ever heard has so claimed. Therefore, when I have shown that we could reduce these duties so far as the United States Steel Corporation is concerned to $7 a ton, I have proved that there is ample protection in it for any of the companies which now manufacture steel.

I intended, Mr. President, to take up somewhat in detail other items in the metal schedule, but I have consumed now much more time than I intended to consume. These interruptions have been very helpful; I do not complain of them; but I do not feel that I desire at this time to go into the remaining items of the metal schedule. I think everybody will agree that if I have fixed upon a proper reduction for tonnage iron and steel my proposal with respect to other manufacturers of iron and steel can not be successfully assailed; and therefore thanking the Senate and the Senators for listening to me so patiently, so far as I am concerned I submit the amendment I have proposed.

MESSAGE FROM THE HOUSE.

During the delivery of Mr. CUMMINS's speech a message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11019) to reduce the duties on wool and manufactures of wool.

The message also communicated to the Senate the intelligence of the death of Hon. HENRY C. LOUDENSLAGER, late a Representative from the State of New Jersey, and transmitted resolutions of the House thereon, and announced that the Speaker of the House had appointed as the committee on the part of the House Mr. CANNON, Mr. PADGETT, Mr. ROBERTS of Massachusetts, Mr. BUTLER, Mr. BATES, Mr. LLOYD, Mr. MCKINLEY, Mr. AIKEN of South Carolina, Mr. RODENBERG, Mr. CAMPBELL, Mr. CRAVENS, Mr. GARDNER of New Jersey, Mr. HUGHES of New Jersey, Mr. WOOD of New Jersey, Mr. KINKEAD of New Jersey, Mr. HAMILL, Mr. MCCOY, Mr. TOWNSEND, Mr. SCULLY, and Mr. TUTTLE.

TARIFF DUTIES ON WOOL.

After the conclusion of Mr. CUMMINS's speech,

Mr. LA FOLLETTE. Mr. President, I had intended to present the conference report upon the wool bill, so called, but as many Senators have already left the Chamber, and as it is understood that it will provoke some debate, I will not present it until to-morrow morning. I will therefore move that the Senate adjourn.

Mr. BRIGGS. Will the Senator from Wisconsin withhold his motion, that I may call up resolutions from the House of Representatives?

Mr. LA FOLLETTE. I withdraw the motion at the request of the Senator from New Jersey.

DEATH OF REPRESENTATIVE HENRY C. LOUDENSLAGER.

Mr. BRIGGS. I ask the Chair to lay before the Senate the resolutions from the House of Representatives relative to the death of my late colleague in that body.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions as follows:

In the House August 12, 1911.

Resolved, That the House has heard with profound sorrow of the death of Hon. HENRY C. LOUDENSLAGER, a Representative from the State of New Jersey.

Resolved, That a committee of 20 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk send a copy of these resolutions to the Senate and also transmit a copy thereof to the family of the deceased.

Mr. MARTINE of New Jersey. Mr. President, as a resident and fellow citizen of New Jersey, I would like to say a word.

The grim reaper has again done its work, this time in the other House of Congress. Had HENRY CLAY LOUDENSLAGER lived his term out he would have served the Government of the United States consecutively 20 years.

All who knew him, everybody who had touch with or an inclination for politics in the Commonwealth of New Jersey, knew kindly and well the loving, genial, and hospitable HARRY LOUDENSLAGER. The State of New Jersey in his death has lost a splendid son, society a delightful and loving companion, these United States a grand patriot and a broad statesman. New Jersey stops to weep at his bier and pay the last tribute it can in wishing for his family God's speed and God's blessing to him.

Mr. BRIGGS. Mr. President, I offer the following resolutions, and ask for their adoption.

The PRESIDENT pro tempore. The Senator from New Jersey submits resolutions, which will be read by the Secretary.

The resolutions (S. Res. 137) were read and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of the Hon. HENRY CLAY LOUDENSLAGER, late a Representative from the State of New Jersey.

Resolved, That a committee of nine Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to take order for superintending the funeral of Mr. LOUDENSLAGER at Paulsboro, N. J.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

The PRESIDENT pro tempore appointed as the committee on the part of the Senate under the second resolution Mr. BRIGGS, Mr. MARTINE of New Jersey, Mr. BAILEY, Mr. CURTIS, Mr. BRANDEGEE, Mr. OLIVER, Mr. NIXON, Mr. WILLIAMS, and Mr. HITCHCOCK.

Mr. BRIGGS. I offer the following resolution, and ask for its adoption.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The PRESIDENT pro tempore. The question is on agreeing to the resolution submitted by the Senator from New Jersey.

The resolution was unanimously agreed to, and (at 5 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, August 15, 1911, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *August 14, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we need Thy guiding and restraining influence in all the intricacies of this strenuous and complicated existence, hence we pray for self-control, self-respect, self-reliance under Thee, that we may be strong, and pure, and noble in all our intercourse with our fellow men; that Thy purposes may be fulfilled in us, to the glory and honor of Thy holy name. Amen.

The Journal of the proceedings of Saturday, August 12, 1911, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2246. An act to amend the military record of John P. Fitzgerald, who enlisted and served under the assumed name of Joshua Porter in Company K, Seventh Regiment, and Company C, First Regiment, Michigan Volunteer Cavalry, from March 9, 1865, to March 10, 1866, and to issue to him an honorable discharge in his true name of John P. Fitzgerald;

S. 2534. An act to extend the time for the completion of the Alaska Northern Railway, and for other purposes;

S. 3115. An act to authorize the Secretary of the Interior to withdraw from the Treasury of the United States the funds of the Kiowa, Comanche, and Apache Indians, and for other purposes; and

S. 304. An act for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to furnish to the House of Representatives, in compliance with its request, a duplicate engrossed copy of the joint resolution (S. J. Res. 31) authorizing the Secretary of War to loan certain tents for the use of the Astoria Centennial, to be held at Astoria, Oreg., August 10 to September 9, 1911.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2246. An act to amend the military record of John P. Fitzgerald, who enlisted and served under the assumed name of Joshua Porter in Company C, First Regiment Michigan Volunteer Cavalry, from March 9, 1865, to March 10, 1866, and to issue to him an honorable discharge in his true name of John P. Fitzgerald; to the Committee on Military Affairs.

S. 2534. An act to extend the time for the completion of the Alaska Northern Railway, and for other purposes; to the Committee on the Territories.

S. 3115. An act to authorize the Secretary of the Interior to withdraw from the Treasury of the United States the funds of the Kiowa, Comanche, and Apache Indians, and for other purposes; to the Committee on Indian Affairs.

S. 304. An act for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H.; to the Committee on the Library.

ENROLLED BILL SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 2925. An act to extend the privileges of the act approved June 10, 1880, to the port of Brownsville, Tex.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that on August 12 they had presented to the President of the United States, for his approval, the following bills:

H. R. 6098. An act to authorize the Campbell Lumber Co. to construct a bridge across the St. Francis River from a point in Dunklin County, Mo., to a point in Clay County, Ark.;

H. R. 11021. An act to authorize the Levitte Land & Lumber Co. to construct a bridge across Bayou Bartholomew, in Drew County, Ark.; and

H. R. 11477. An act authorizing the construction of a bridge and approaches thereto across the Tug Fork of the Big Sandy River at or near Matewan Station, in Mingo County, W. Va.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CANDLER, indefinitely, on account of the dangerous illness of his father.

LETTERS, DOCUMENTS, ETC., IN REGARD TO ALASKA COAL CONTRACTS.

Mr. CLAYTON. Mr. Speaker, I present a privileged report on House resolution 217.

The SPEAKER. The gentleman from Alabama presents a privileged report. The Clerk will read the resolution and the report.

The Clerk read House resolution 217, as follows:

Resolved, That the Attorney General be, and he is hereby, directed to furnish to the House of Representatives the following:

A copy of all letters, documents, affidavits, testimony, or evidence, and of all reports of special agents, employees, assistants, or district attorneys, and all other information of whatsoever kind or from whence derived, in possession or under the control of the Department of Justice, relating to the matters and things alleged and contained in that certain affidavit signed by H. J. Douglas and sworn to on the 23d day of May, 1910, before Ben Vail, notary public in and for the District of Columbia, a copy of which was forwarded to the Attorney General on May 24, 1910, by the Delegate from Alaska, the receipt of which was acknowledged by the Attorney General, by his letter of May 31, 1910, addressed to the Delegate from Alaska.

With the following amendment:

In line 2, after the word "directed," insert "if not incompatible with the public interest."

The SPEAKER. The Clerk will read the report. (H. Rept. 145.)

The Clerk read the report (by Mr. CLAYTON), as follows:

The Committee on the Judiciary, having had under consideration House resolution 217, make the following report thereon:

The resolution calls for certain information and is limited to such purpose. Its language is as follows:

"*Resolved*, That the Attorney General be, and he is hereby, directed to furnish to the House of Representatives the following:

"A copy of all letters, documents, affidavits, testimony, or evidence, and of all reports of special agents, employees, assistants, or district attorneys, and all other information of whatsoever kind or from whence derived, in possession or under the control of the Department of Justice, relating to matters and things alleged and contained in that certain affidavit signed by H. J. Douglas and sworn to on the 23d day of May, 1910, before Ben Vail, notary public in and for the District of Columbia, a copy of which was forwarded to the Attorney General on May 24, 1910, by the Delegate from Alaska, the receipt of which was acknowledged by the Attorney General by his letter of May 31, 1910, addressed to the Delegate from Alaska."

The information called for by the resolution is "a copy of all letters, documents, affidavits," etc., "in possession or under the control of the Department of Justice, relating to the matters and things alleged and contained in that certain affidavit signed by H. J. Douglas," etc. Inasmuch as the particular letters, documents, affidavits, etc., which are desired are not described except by mere reference to the Douglas affidavit, it was necessary for the committee to be informed of the contents of such affidavit. Therefore, for the purpose of being informed as to the contents of such affidavit a hearing was given to Mr. WICKERSHAM, the Delegate from Alaska, the author of the resolution. Accordingly, at the committee hearing on July 13, 1911, the Delegate furnished a copy of the Douglas affidavit to the committee, a copy of which affidavit is appended to this report. After having furnished this information to the committee, the Delegate in his statement went beyond the scope of the resolution itself and made certain references to the Attorney General. The Attorney General was not present at such hearing, but afterwards took exception to these references made by the Delegate.

On July 17, 1911, the Attorney General, in a letter addressed to the chairman of the committee, signified his desire to appear before the committee. On July 24, 1911, the Attorney General did appear before the committee and made a statement in regard to the matters covered by the resolution and the other matters referred to by the Delegate in his statement. At this hearing the Attorney General said:

"I have no objection to the resolution, and had that been the only matter before this committee I should not have asked to appear here, because resolutions calling upon the Attorney General for information relating to various matters under consideration by the Department of Justice are commonly passed and are dealt with in a routine manner. But in the hearing before the committee on the 13th day of July the Alaskan Delegate undertook to accuse me, to use his own language, of purposely shielding and defending 'Alaska syndicate criminals from punishment for crimes against the Government in this specific instance and also in other instances wherein I personally gave him the evidence which would justify him in finding indictments.' Therefore, the question really before your committee is, I take it, as to my personal part in dealing with information laid before the Department of Justice referred to by the Delegate in his statement before the committee at the last hearing."

When he appeared before the committee, the Attorney General furnished a copy of the letters, documents, affidavits, etc., called for by the resolution and described in the Douglas affidavit. At the same time the Attorney General likewise produced and laid before the committee copies of various other papers and documents, some confidential and some not confidential in character, and not called for by the resolution, but pertaining to certain matters discussed by the Delegate before the committee. In doing this the Attorney General expressed his purpose to present, and the fact that he had presented to the committee, all the papers which had come into his possession touching any of the matters criticized or complained of by the Delegate. In so far as these documents relate to the resolution, the committee deemed it proper that the same should be laid before the House by the Attorney General in conformity with the resolution as hereinafter reported and in the customary manner, but the remaining documents were by your committee returned to the Attorney General for the twofold reason that the same were not germane to the resolution and were, in the opinion of your committee, of such character that, pending investigations by the Department of Justice and the administration of justice would probably be impeded by their publication.

Your committee considers itself without power to pass upon matters presented by the Delegate on the one hand and the Attorney General on the other which were beyond the scope of the pending resolution, but permitted the introduction of the same only by courtesy and because of the request of both of the gentlemen concerned. The duty of the committee, so far as this resolution is concerned, does not authorize the committee to go beyond the mere ascertainment of the meaning and purpose of the resolution and the propriety of reporting back the resolution itself. The practice of the House seems to be, and certainly it has been the practice of the present House, to require investigations of executive departments to be made by the several standing committees having jurisdiction of the expenditures in the several executive departments or by select committees appointed by the House for specific purposes. Whatever inquisitorial power the committee has in this matter, such power is limited to the scope of this resolution, which simply calls for information in the shape of a copy of letters, etc. Of course, a resolution could have been offered which might have imposed a more comprehensive duty upon your committee. But under the authority necessarily involved in the consideration of the resolution and under the law and the practice and rules of the House, this committee is without power to investigate conditions in Alaska or to subpœna and swear witnesses, or other like power usually conferred upon investigating committees.

Your committee recommend that the resolution be amended by inserting after the word "directed" in line 2, page 1, of the resolution the following words, "if not incompatible with the public interests." And your committee therefore report back the resolution with the amendment and recommend that the resolution as amended be adopted.

APPENDIX.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

H. J. Douglas, being first duly sworn, upon oath deposes and says:

That during the spring and summer of 1908 this affiant was the auditor of the Northwestern Commercial Co., the Northwestern Fisheries Co., the Northwestern Lighterage Co., the Northwestern Steamship Co., and to December 31, 1909, general auditor of the Copper River Railway, the Copper River & Northwestern Railway, and the Katalla Co.; in fact, all of the Alaska Syndicate companies at Seattle, Wash.; that as such auditor and accountant this affiant had intimate knowledge of the accounts of the said various corporations as kept in their said account books at Seattle, Wash.

That it has been the custom for the War Department to advertise for bids for supplying coal to the Alaska military posts; and that in the spring of 1908 the United States Government did advertise for bids for coal for Fort Davis and Fort Liscum, in the Territory of Alaska; that at that time one D. H. Jarvis was treasurer of the aforesaid companies, and, as such, and as the confidential manager of the said companies, became interested in securing the contract for furnishing the coal for the said two military posts; that the John J. Sesnon Co., of Nome, was also a competitor; that at that time one John H. Bullock was the manager of the said John J. Sesnon Co., and was in the city of Seattle; that he and the said Jarvis had many conferences in respect to the said bids and agreed one with the other, each for his corporations interested, to put in bids which would insure the award of the said bid to one or the other of these competitors, there being no other competitors, at a price which would insure a very large profit to them.

They agreed upon certain lighterage tariffs which were prepared between them, and agreed upon a division of the profits of the said bids, and, thereupon, each put in a bid for the said contract. Each of the said parties, the said Jarvis and the said Bullock, made, signed, swore to, and delivered to the United States an affidavit, which, substantially, to the best information of the affiant, stated that no one but the company which the affiant represented had any interest in the contract for which affiant presented a bid for his company; that the said affidavit made by the said Jarvis in that respect was false, and known by him to be false, because previous to the making thereof he had agreed with the said Bullock to a division of the profits between them. This affiant is informed and believes that said affidavits and bids were forwarded to the quartermaster at Fort Vancouver, Wash., by the said Jarvis and Bullock, who went personally to that post at the opening of the bids. Affiant is informed and believes, and refers to the bids for exactness, that the contract was awarded to the John J. Sesnon Co. for about $28 per ton for about 4,000 tons; that the said Jarvis affidavit was made by him in that matter before one Harris—in Seattle—a notary public, about April, 1908.

That immediately thereafter, during the summer of 1908, the said Sesnon Co. delivered the said coal to the said United States military posts, and the Government paid for the same, as shown by the bids and the accounts of the Government. That thereafter, and about February or March, 1909, and in settlement of the agreement between Jarvis and Bullock, the said Sesnon Co. paid to the said Northwestern Commercial Co., at Seattle, the sum of $6,700, or thereabouts, as the share which was agreed to be paid by the said Sesnon Co. to the corporations represented by the said Jarvis, and the said sum of $6,700, or thereabouts, was carried into the accounts of the Northwestern Commercial Co. and credited to the Nome station.

Affiant is now informed that said transaction was illegal, and that the said statement in the affidavit of Jarvis was in violation of law. That affiant says, of his own knowledge, that the credit of the $6,700 and odd was carried into the book accounts of the said Northwestern Commercial Co., but affiant has no knowledge where the bids and affidavit of the said Jarvis are now.

H. J. DOUGLAS.

Subscribed and sworn to before me this 23d day of May, 1910.
[SEAL.] BENJ. VAIL,
Notary Public in and for the District of Columbia.

Mr. CLAYTON. Mr. Speaker, I move the previous question on the resolution and amendment.

The previous question was ordered.

The amendment was agreed to.

The resolution as amended was agreed to.

On motion of Mr. CLAYTON, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

THE WOOL SCHEDULE.

Mr. UNDERWOOD. Mr. Speaker, I call up the conference report on the bill (H. R. 11019) to reduce the duties on wool and manufactures of wool, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Alabama calls up a conference report and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. I wish to make a point of order on the report. If the waiting of the reading of the report would not affect the right to make the point of order, then I have no objection to waiving the reading of the report and reading the statement.

Mr. UNDERWOOD. Mr. Speaker, if the gentleman desires to make a point of order on the report, I think the report ought to be read, so that the House may understand the point of order.

The SPEAKER. What is the gentleman's point of order?

Mr. MANN. Mr. Speaker, I will make the point of order at the proper time, when the report has been made.

Mr. UNDERWOOD. Mr. Speaker, if there is a point of order to be made, I suggest that the report ought to be read to the House.

The SPEAKER. The Clerk will read the report.

The Clerk read the report.

(For report, see proceedings of Saturday, August 12, 1911.)

Mr. UNDERWOOD. Mr. Speaker, as the report has been read, I have no desire to have the statement read. It is not necessary.

Mr. MANN. Mr. Speaker, I make the point of order that the conferees exceeded their authority and jurisdiction in coming to the agreement which they did. Under the bill as it passed the House, the Underwood bill, it is provided that on Brussels carpets, figured or plain, and on all carpets or carpeting of like character or description, the duty shall be 30 per cent ad valorem; also, that on velvet and tapestry-velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpeting of like character or description, the duty shall be 35 per cent ad valorem. Under the bill as it passed the Senate it is provided that on Brussels carpet, figured or plain, and all carpets or carpeting of like character or description, the duty shall be 35 per cent ad valorem. The language of the description in the Underwood bill and in the La Follette amendment is precisely the same. In the Underwood bill the rate is fixed at 30 per cent ad valorem and in the La Follette amendment at 35 per cent ad valorem. The conferees bring in a report fixing the rate at 40 per cent ad valorem.

Not only that. I read the paragraph in the Underwood bill on velvet and tapestry-velvet carpets fixing the rate at 35 per cent ad valorem. In the La Follette amendment, in the same language, velvet and tapestry-velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpeting of like character or description, the rate is fixed at 35 per cent ad valorem. On the description of velvet and tapestry-velvet carpets, which is precisely the same in the Underwood bill and the La Follette amendment, each House fixed the rate at 35 per cent ad valorem; but the conferees fix the rate at 40 per cent ad valorem.

On Saxony, Wilton, and Tournay velvet carpets the House fixed the rate at 35 per cent ad valorem, and in the same language the Senate fixed the rate at 35 per cent ad valorem, both bodies fixing the same rate in the same language. The conferees, however, fixed the rate at 50 per cent ad valorem, a rate 15 points greater than that at which the House fixed it and 15 points greater than that at which the Senate fixed it.

On Axminster and other carpets carried in paragraph 10 of the Underwood bill the rate was fixed by the House at 40 per cent ad valorem, but in the same language of description the Senate fixed the rate at 35 per cent ad valorem. The conferees, having before them a dispute or disagreement whether the rate should be 40 per cent, as fixed by the House, or 35 per cent, as fixed by the Senate, split the difference by making the rate 50 per cent, 10 per cent more than fixed by the House and 15 per cent more than the rate fixed by the Senate. On manufactures of hair of the camel, goat, alpaca, and so forth, the House fixed the rate of 40 per cent ad valorem, and the Senate fixed the rate of 30 per cent ad valorem, and in this conference over the disagreement between the 40 per cent and the 30 per cent the conferees arrived at an agreement and fixed the rate of 49 per cent, 9 points higher than that fixed by the House and 19 points higher than that fixed by the Senate. Mr. Speaker, it is true that the Senate amendment strikes out all after the enacting clause and inserts a substitute bill, but in all parliamentary precedents it has been held that where the House and the Senate both provided in the same language for the same thing, so that on that particular point there was no dispute between the two bodies, the conferees had no right to change it, and where the only dispute or disagreement was the question of figures as to the amount, the House having set one amount and the Senate having set another amount, the only jurisdiction of the conferees was between the two amounts fixed by the two Houses. Under the theory of this conference report, if the House passes a bill making an appropriation for $100,000 and the Senate increases that amount to $150,000, having precisely the same language, the conferees, having to agree upon the disputes between the two bodies, may change it by fixing the sum at $1,000,000. We have a right, where a matter goes to conference, to know that the conferees will only act on the question in dispute between the two bodies. I have called attention to the items as to carpets. I now wish to call attention to the change made by the conferees, without authority, as to wools. The House fixed the rate on all wools at 20 per cent ad valorem. The Senate fixed the rate on class 1 wools at 35 per cent ad valorem, and excepted from class 1 wools, what is now class 3, and hair, in this language:

Donskoi, native South American, Cordova, Valparaiso, native Smyrna, and all such wools of like character as have been heretofore imported into the United States from Turkey, Greece, Syria, and elsewhere, excepting improved wools hereinafter provided for; the hair of the camel, Angora goat, alpaca, and other like animals.

Upon these wools and hairs the rate was fixed by the Senate at 10 per cent ad valorem. The controversy between the House and the Senate was whether all wool rates should be fixed at 20 per cent ad valorem or whether certain wools should be fixed at 35 per cent, as provided by the Senate, and other wools 10 per cent, as provided by the Senate. It was within the province of the conferees to fix any rate which they were pleased to agree upon as to class 1 wools between 20 per cent and 35 per cent, but I deny that it was within the power of the conferees, having a dispute between this body fixing all wools at 20 per cent and the Senate fixing certain wools at 10 per cent, to make any figures outside of some figure between 10 per cent and 20 per cent, and yet the conferees have fixed the rate on these classes of wools and hairs at 29 per cent. I have taken the trouble, Mr. Speaker, to figure out what the effect would be——

The SPEAKER. The Chair would like to ask the gentleman from Illinois a question for information.

Mr. MANN. Certainly.

The SPEAKER. Of course, this thing has been brought up suddenly, but the Chair would like to inquire, after the hasty examination of these bills from time to time, and after inquiry, if it is not true that all the difference as to this raw-wool proposition that the gentleman is now talking about is not a matter of classification on this one item of raw wool and then a change of rate not exceeding the higher rate suggested by either House?

Mr. MANN. Now, let me explain, Mr. Speaker. Let us see what the application of the rates in the three cases would have produced if applied to the wool receipts for the fiscal year 1910, the figures of which have been frequently quoted on the floor of this House.

The Underwood bill puts the duty on wool at 20 per cent. The La Follette amendment puts the duty on wool part at 35 per cent and part at 10 per cent. During the fiscal year 1910 there were imported wools to the value of $47,687,293.20. Of these $32,114,802 would have been subject under the La Follette amendment to a 35 per cent duty, and $15,572,491.20 under the La Follette amendment would have been subject to a 10 per cent duty. Thirty-five per cent of the thirty-two million and odd dollars is $11,240,180.70, and the 10 per cent of the fifteen million and odd dollars is $1,557,249.12. So that under the La Follette amendment the importations for 1910 would have paid a total duty of $12,797,429.82. Under the Underwood bill as it passed the House the duties would have been 20 per cent of the total value of importations, or $9,537,458.64. Therefore there was in dispute between the two bodies items which under the Senate bill would have produced 12 million and odd dollars and under the Underwood bill nine million and odd dollars, and the only thing the conferees had power to do was to decide upon some bill, or language, or rate, which would fix the duty either at one of these sums or at some amount between them. What did they do?

Under the conference report they fixed the rate at 29 per cent on all importations, and 29 per cent of the $47,687,293.20 of importations would be $13,829,315.02, or $1,031,885.20 greater than would have been raised under the La Follette amendment and $4,291,856.38 greater than would have been raised under the Underwood amendment.

The conferees had the power to adjust all differences between the Houses. That is what conferees are appointed for, namely, to adjust the differences between the two Houses; but in this case—and I would not for a moment think it was because Texas raises Angora goat hair, a State which had two men on the conference committee—the conferees exceeded their jurisdiction. They not only did not confine their agreement to points of difference between the two Houses, but they raised the rate which had been fixed by the House at 20 per cent and the Senate at 10 per cent to 29 per cent. They would have raised the importation duties a million dollars and more greater than would have been raised under either the Senate amendment or the House bill.

I think this matter is one of sufficient importance for the Chair to hold that, where the House appoints conferees to adjust differences between two bodies, we have the right in the *House to hold* the conferees to their authority and their jurisdiction, and to only adjust the differences between the two bodies.

Mr. DALZELL. I want to call the gentleman's attention before he sits down to the fact that in addition to the changes he has already suggested the House bill and the Senate bill both fixed the date at which the bill shall go into effect as the 1st of January, 1912. The text of the House bill and the text of the Senate bill are identical in that respect. The report of the conferees makes the date at which the bill shall go into effect October 1 of the present year.

Mr. FITZGERALD and Mr. LENROOT rose.

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Wisconsin?

Mr. MANN. I do.

Mr. LENROOT. I would like to ask the gentleman if the Senate and the House both disagree, one to the House bill and one to the Senate bill, if there would be any agreement on the subject whatever? Has not each House expressly disagreed to the bill of the other?

Mr. MANN. The text is the same in both bills. It has been decided times without number that the conferees can not change the text agreed to by both Houses.

The SPEAKER. Does the gentleman from Illinois [Mr. MANN] yield to the gentleman from New York [Mr. FITZGERALD]?

Mr. MANN. I do.

Mr. FITZGERALD. I would like to ask whether he contends there was any agreement between the two Houses as to any part of the text in either the House bill or the Senate substitute?

Mr. MANN. I do not contend that technically there was any agreement, because the Senate struck out all the House bill and inserted a new bill. We had precisely the same question before the conferees on the railroad bill at the last Congress, and in that conference report we changed the date when a part of the bill should go into effect, although both the House and the Senate had fixed the same date in the original bill—the same date both in the House bill and in the Senate substitute; and when we did this, reporting it back to the House as we did, we called the attention of the House to the fact, so that if anybody desired to make a point of order upon it he would have the privilege and the right, and would have his attention attracted to it.

I stated in conference at the time that it was unquestionably true that where both the House and the Senate had agreed to precisely the same language, although in one case it was in the House bill and in the other the substitute bill, the conferees had no right to change it over a point of order; but if they made a change which everybody wanted, and if they called attention to it in the House, so that any Member could preserve his rights by a point of order, I thought it was a proper thing to do, and it was so done.

Now I do not care when we fix the date in this bill, so far as I am concerned.

The SPEAKER. The Chair would inquire of the gentleman from Illinois how they fixed the date in that railroad bill? Was there any action upon it by the House? Did anybody raise the point of order?

Mr. MANN. Nobody raised the point of order, but I called attention to the fact that the date had been changed as to the time of going into effect of certain sections of the bill, one of which provided for the Interstate Commerce Commission having the right to suspend the new rates. The rest of the bill did not go into effect until later.

Now, I contend, Mr. Speaker, that the conferees in this case have entirely exceeded their jurisdiction. I do not desire to detain the House discussing a point of order in this way. There are other things in the conference report which I think are also subject to a point of order along the same lines—other places where raises have been made beyond those fixed by either the House or the Senate.

Mr. MONDELL. Mr. Speaker——

Mr. UNDERWOOD. Mr. Speaker——

The SPEAKER. The gentleman from Alabama is recognized.

Mr. UNDERWOOD. Mr. Speaker, I would be disposed to take the argument of the gentleman from Illinois [Mr. MANN] seriously, from the solemn manner and forceful way in which he has presented his case to the House; but knowing, as I do, and as every man in this House knows, that the gentleman from Illinois is one of the best-informed parliamentarians in the House, and certainly has not presented a case of this kind to the House without having made an examination of the authorities, I am constrained to believe that the gentleman is not serious in his presentation of the case to the Speaker.

Now, the whole case in a nutshell is this: The House passed the House bill fixing certain rates. The Senate struck out every word of the House bill after the enacting clause and enacted an amendment to Schedule K of the Payne tariff law. The Senate, when they struck out all of our bill, did not agree to anything in the House bill. They inserted the Payne tariff law, amended. When their amendment came back to the House it brought back Schedule K of the Payne tariff law, putting into conference everything that was in Schedule K of the Payne tariff law, as well as in amendments that were adopted to Schedule K of the Payne tariff law.

Now, the conference report does not pass technically on the original bill that passed this House. The conference report amends Schedule K of the Payne tariff law. There is not a rate in this bill that was not thrown into conference by that situation. There is not a rate in this bill that is not below the rate in the Payne tariff law. The whole matter was thrown into conference, and the authorities are absolutely clear on the question.

The SPEAKER. The Chair will ask the gentleman from Alabama this question: What does he say about the contention of the gentleman from Illinois that when the House passed the bill and the Senate amended it and it went to conference the conferees can not go lower than the lower rate and they can not go higher than the higher rate in one of the two bills?

Mr. UNDERWOOD. Mr. Speaker, wherever there is an agreement between the two Houses the conferees can not change the language of the agreement, but there is nothing in what the gentleman says about the higher rate or the lower rate, any more than there is about this language or that language in

the bill. It has nothing to do with that. The question before this House and the question before the Speaker is whether the conferees have changed an agreement made between the two Houses. There had not been one line of agreement reached between the two Houses before the bill went to conference. The Senate struck out every word of our bill. The House, when it brought the Payne law back here with an amendment, disagreed to every word that was brought back here, and there was not a word of agreement between the two Houses then.

Mr. HILL. Mr. Speaker——

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Connecticut?

Mr. UNDERWOOD. No; I will ask my friend to excuse me, as I wish to conclude this statement as soon as possible, and my argument is directed to the Speaker.

Now, of course I do not dispute the fact that where there has been an agreement on a bill, and there is merely a change in figures, as often happens in an appropriation bill, the conferees can not go below the lowest rate or above the highest rate, because up to that point there has been an agreement. The disagreement lies between the two rates. Or, where language has been inserted in one House and agreed to in the other House the conferees can not change it. But, as I said to the Speaker, the Senate amendment brought all of Schedule K of the Payne bill before this House, because it brought in an amendment to that schedule, and we disagreed to that amendment.

Mr. Speaker, the precedents are clear. I call the attention of the Speaker to the Rules and Practices of the House of Representatives, page 278, paragraph 536, where it states that the conferees can not change language agreed to by the two Houses. But at the latter part of section 536 it says:

Under certain circumstances managers may report an entirely new bill on a subject in disagreement, but this bill is acted on as part of the report.

Now, turning over to page 279, paragraph 539, the latter part of that paragraph says:

Managers may not change the text to which both Houses have agreed. But where the amendment in issue strikes out all of the bill after the enacting clause and substitutes a new text, the managers have the whole subject before them and may exercise a broad discretion as to details, and may even report an entirely new bill on the subject.

I call the attention of the Speaker to that language. Now, what is the subject? That statement is borne out by Hinds' Precedents, sections 6421, 6423, and 6424—Republican precedents, cited by Republican Speakers—in which they say:

But where the amendment strikes out all of the bill after the enacting clause and substitutes a new text, the managers have the whole subject before them and may exercise a broad discretion as to details, and may even report an entirely new bill on the subject.

How could it be broader than that?

Mr. McCALL. Mr. Speaker——

Mr. UNDERWOOD. I do not care to yield.

The SPEAKER. The gentleman declines to yield.

Mr. UNDERWOOD. How could it be broader than that? What was the subject before the conferees? The subject matter was the amendment of the entire Schedule K. That entire Schedule K was before the conferees. There was not a line of it agreed to between the two Houses. The precedents say we may write an entirely new bill. Mr. Speaker, we were compelled to write an entirely new bill. When the Senator from Wisconsin [Mr. LA FOLLETTE] insisted on one rate on raw wool and the House conferees insisted on another rate on raw wool, and we could not agree on either rate and it came to a compromise, a compromise not entirely satisfactory to the House conferees or entirely satisfactory to the Senate conferees, but an effort on the part of both conferees to reach a rate by which a bill could be written on the statute books to relieve the people of the United States from unjust taxation, we had to write a new bill.

It was all we could do. After we changed the rate on raw wool, which is the basis for any wool bill, we had to readjust the rates on the finished products to conform to the duty on raw wool.

Mr. MANN. Will the gentleman yield?

Mr. UNDERWOOD. I do not like to yield. If I yield to the gentleman from Illinois after having refused to yield to other gentlemen, it looks discourteous; but the gentleman from Illinois made the point of order, and I suppose I will have to yield.

Mr. MANN. I would like to ask the gentleman whether the Senate conferees insisted on raising the rates which the Senate had fixed at 10 per cent ad valorem to 29 per cent ad valorem or a higher rate?

Mr. UNDERWOOD. My friend is going outside the question of the point of order and going into the politics of the case.

Mr. MANN. The gentleman said that he had to yield to the Senate conferees.

Mr. UNDERWOOD. I will state to my friend very broadly both questions. We wrote the tax on raw wool for revenue purposes. We would not have written any tax on raw wool if the exigencies of the Government did not require the revenue. [Applause on the Democratic side.] The Senate wrote the tax on raw wool for protection purposes. Now, from a protection standpoint, you could write a low tax on noncompetitive wool and a high tax on competitive wool and not violate your principles. But if you attempted to write a low tax on noncompetitive wool and a high tax on competitive wool for the purpose of protection, we would have written on the face of our bill that we believed in the Republican doctrine of protection, and we could not do so. [Applause on the Democratic side.] That is the reason.

Mr. MANN. You increased the rates.

Mr. UNDERWOOD. That is the reason we insisted on a uniform rate. A uniform rate on noncompetitive wool and competitive wool is the only rate upon which a Democratic House can write a tax on raw wool, and the only basis on which it will write a tax on raw wool. [Applause on the Democratic side.]

Mr. MONDELL. Mr. Speaker——

The SPEAKER. The Chair will hear the gentleman from Wyoming very briefly.

Mr. MONDELL. Mr. Speaker, I desire to submit for the consideration of the Chair a very brief suggestion with regard to the duty on raw wool as affected by the conference report.

The gentleman from Illinois has called attention to the fact that the duty on third-class, or carpet wool, in the Underwood bill was 20 per cent and in the La Follette bill 10 per cent; that the conferees bring in a report proposing a rate of 29 per cent. It may be argued that inasmuch as there are various classes of wool the conferees were within their authority if the rate they proposed, applying as it does to all classes of wool, was not higher than the highest average rates contained in one or the other of the measures in conference. The fact is, however, that the report of the conferees proposing 29 per cent duty on all classes of wool proposes a rate 5¼ per cent higher than the average rate contained in the higher of the two measures, to wit, the La Follette bill. The importations of wool last year of classes 1 and 2 was approximately 143,000,000 pounds and of class 3 120,000,000 pounds. So that class 3 wool constituted about 45 per cent of the importations.

In the La Follette bill third class or carpet wool was made dutiable at 10 per cent and wool of classes 1 and 2 at 35 per cent, making an average on the basis of last year's importations of 23¾ per cent ad valorem on all wool imported. So that even though it might be held that the conferees were within their rights in the matter of the tariff on wool, if they did not bring in a rate which on the average was higher than the highest rates in either measure; the fact is that the rate they have agreed to is, as I have stated, 5¼ per cent more than the average rate in the La Follette bill, and therefore clearly beyond the authority of the conferees.

Mr. Speaker, I do not wish it understood that I object to the conferees having brought in a wool bill with a higher rate than that proposed either in the House or in the Senate. Rather do I congratulate the majority that in view of the coming report from the Tariff Board, and in the shadow of an impending veto they have seen somewhat of light and have become in a measure converted to the Republican doctrine of protection.

I realize, of course, that in fact there is no such conversion; that the Democratic majority in the House, if it had its way about it, would still insist upon free wool or a 20 per cent duty at the highest, but their action to-day ought to at least foreclose them in the future from demanding a lower rate on raw wool than that to which they have now given their approval.

Mr. McCALL. Mr. Speaker, the gentleman from Alabama [Mr. UNDERWOOD] in what he said to the House very obviously neglected to distinguish between a revenue bill and other kinds of legislation. I should be very sorry to hear the chairman of the Committee on Ways and Means, who is peculiarly the custodian of the constitutional prerogative of the House, admit that the Senate has the right to strike out all after the enacting clause of a revenue bill and substitute a bill of its own. That would reduce the prerogative of the House to originate the bills simply to originate the mere number, and the gentleman would be conceding to the Senate the power to take away this great constitutional prerogative, which was thought so essential to be given to the Representatives of the people. The Senate, as he says, has originated a new bill. They have struck out all after the enacting clause and have put in a bill entirely of their own, and that confers the power to originate revenue bills upon a new body, because he said under that condition of things the conferees might originate a revenue bill. I think it is time that the House should stand upon its prerogatives. I believe

that the Senate has exceeded its power, that the conferees have exceeded their power, and that this conference report should be held not in order.

Mr. LONGWORTH. Mr. Speaker, I want to speak only of that feature of this report relating to the date. The gentleman from Alabama [Mr. UNDERWOOD] says that by virtue of the Senate striking out the entire House bill and substituting an amendment of Schedule K, therefore Schedule K is the matter in conference. Schedule K says nothing about the date at which this law shall take effect. The House and the Senate, however, both have. The House has said that whatever wool bill it passes shall take effect on the 1st of January. The Senate has said that whatever bill it passes shall take effect on the 1st of January. The conferees, however, have changed that; have gone entirely beyond Schedule K, or any kind of a wool bill at all, and have decided this law shall take effect on the 1st of October.

The SPEAKER. Let the Chair ask the gentleman from Ohio a question, strictly for information. Suppose it turns out that there is a long line of precedents to the effect that where everything after the enacting clause is stricken out the whole subject goes to the conferees, and they can do as they please with it, even to the extent of bringing in a new bill; does the gentleman think that they could not change the date of it as easily as they could change the substance of it?

Mr. LONGWORTH. It seems to me, Mr. Speaker, that in this case, leaving out all technicalities as to what changes might be made, where one House has said that whatever law on the subject it shall pass shall take effect on a certain date and the other House when called upon to act upon that has said also that any proceeding that that House may take shall take effect on the same date, that that matter is not and can not be construed in any way to be a matter of disagreement between the two Houses. It seems to me that that is at least the spirit if not the letter of this rule.

Mr. FITZGERALD. Mr. Speaker, I believe that the gentleman from Illinois [Mr. MANN] confuses this case with a case that is common in the practice of the House. The House frequently passes a bill carrying certain items and a number of appropriations, and the Senate amends by striking out the amount appropriated and inserting a different amount. Then, unquestionably, the difference between the Houses is the difference between the two amounts. One is stated by the House and the other is stated by the Senate. In this instance the House passed a bill to reduce the duty on woolen goods, and one of the paragraphs of the bill repeals all laws in conflict with the provisions of the House bill. The Senate struck out all after the enacting clause and inserted practically a new bill purporting to reduce the duties on woolen goods.

There is a precedent, not very old; very recent. It is found in section 6424, volume 5, Hinds' Precedents, and I shall read from it.

The SPEAKER. From where is the gentleman reading?

Mr. FITZGERALD. Page 732, volume 5, Hinds' Precedents:

After debate the Speaker said:

"The Senate during the last session passed an act entitled 'An act to amend an act entitled "An act to regulate the immigration of aliens into the United States,"' etc.

"This Senate bill was broad in its provisions and substantially amended the immigration laws then in force. It was very general in its nature, as will be found upon examination. The bill came to the House. The House struck out all of the Senate bill after the enacting clause by way of amendment and passed a substitute therefor. So that the House entirely disagreed with every line, with every paragraph, with every section of the Senate bill—everything except the enacting clause—and proposed a substitute therefor, and this substitute on examination is found to be a complete codification and amendment of existing immigration laws, and incidentally the labor laws connected therewith, especially those dealing with contract labor, and with many other questions to which it is not necessary to refer. * * *"

Again:

The House substitute by way of amendment went to the Senate. The Senate disagreed to every line, paragraph, and section of the House provision, and with that disagreement to the Senate provision, and with the House provision in effect a disagreement to the original Senate bill, the whole matter went to conference. That is, by this action there was committed to conference the whole subject of immigration, and, as connected therewith, the prohibition of immigration by way of contract labor in the fullest sense of the words. * * * The Chair has not had time to hunt up all the provisions of the immigration laws of the country, but the repealing clause, with the exception as proposed by the House and the disagreement of the Senate, sends this whole matter, in the opinion of the Chair, to the conferees.

That decision was rendered by Mr. Speaker CANNON in the second session of the Fifty-ninth Congress. This case is exactly similar, although the procedure was the reverse. In that case a bill passed by the Senate came to the House and the House struck out all after the enacting clause and inserted an entirely new bill. The bill went back to the Senate, the Senate disagreed to the House amendment, and the bill was sent to conference. In this instance the House passed a bill which went to the Senate; the Senate struck out all after the enacting clause and sent back an entirely new bill to the House. The House disagreed to the Senate amendment. In both the Senate bill and in the House bill there was a clause repealing all laws affecting the duties on wool and manufactures of wool, so that the entire question of duties upon wool and woolen goods is sent into conference. The gentleman from Illinois [Mr. MANN] bases his argument largely upon the fact that in the report of the managers on the part of the House the language relating to the duties on certain kinds of carpets, tapestry Brussels carpets, velvet carpets, and tapestry velvet carpets is identical in the House bill and in the Senate substitute, but there is this great distinction, Mr. Speaker. In the House bill there is a paragraph on page 4, section 13, fixing the duty on velvet, tapestry velvet carpets, and so forth.

Then, in paragraph 14, it fixes the duty on tapestry, Brussels carpet, figured or plain, and so forth. In the Senate substitute the classification is entirely changed, and these carpets, instead of being separately classified, are classified with a number of other kinds of woolen manufactures. While the particular language used may be identical, as the Senate disagreed to every line, in the language of Mr. Speaker CANNON, and every paragraph of the House bill, and the House disagreed to every line and every paragraph of the Senate amendment, there was no agreement upon any particular language or upon any language affecting any rate.

The gentleman's point of order would have applied if the Senate had taken the House bill and, as one of the amendments thereto in paragraph 13, had stricken out "35 per cent ad valorem" and inserted "forty" or "thirty-eight," and then the managers, representing both Houses, had inserted a higher percentage than found either in the House paragraph or the proposed amendment to the House paragraph; but in this instance there is agreement neither upon the House paragraph nor upon the Senate paragraph. The entire question of the duty on wool or woolen manufactures, by reason of the proposed repeal of the existing law, is thrown into conference, and the conferees, I understand from an examination of the report, have made an entirely different classification from that contained either in the House bill or in the Senate substitute and have fixed a rate of duty thereon.

Mr. LONGWORTH. I want to ask the gentleman just this question. Does the gentleman believe it would have been in the power of the conferees to fix the date of the taking effect of this bill in 2011 instead of 1911?

Mr. FITZGERALD. Unquestionably.

Mr. LONGWORTH. They would have had that right?

Mr. FITZGERALD. Certainly.

Mr. LONGWORTH. In other words, they would have had the right to destroy the bill utterly, no matter what?

Mr. FITZGERALD. The Democratic House would not have been so idiotic as to agree to it, no matter what might have been done by the Republicans. [Laughter.]

Mr. LONGWORTH. That is a question I do not care to bring into the conference.

Mr. FITZGERALD. The House had in the bill a provision fixing a time at which this law, if enacted, should go into effect. The Senate by striking out that provision had disagreed to it. Then the Senate inserted a provision fixing the time at which the law should go into effect, and the House disagreed to the proposition of the Senate. The only question sent into conference, so far as that is concerned, is the time when the law should go into effect. The entire matter is within the control and jurisdiction of the conferees. In the decision to which I have called attention, Mr. Speaker CANNON referred to another precedent which he held was not in point. That was a case in which a claims bill had come from one body to the other, and specific items in the bill had been thrown into disagreement, and the conferees had inserted in their report a number of items not germane, and which could not under any possibility be considered within the control or jurisdiction of the conferees. But in this case under this decision every question affecting the reduction of duties on wool and manufactures of wool was thrown into conference and within the control of the managers upon the part of the House, and under the precedent established in 1907 it seems to be clear that so long as the conferees did not include anything other than provisions affecting the duties on wool and woolen goods they were clearly within their rights.

Mr. MANN. Mr. Speaker, just a word. I appreciate the difference between a case where the Senate simply amends the amount fixed by the House in a bill or amends the language of the House bill and a case where the Senate strikes out all after the enacting clause and inserts a new bill. And I realize that where the latter action is taken it gives to the conferees a very broad latitude of discretion in formulating a new bill. But let us see where the logic of the gentleman from Alabama [Mr.

UNDERWOOD] and the gentleman from New York [Mr. FITZGERALD] leads.

Suppose when we pass the sundry civil appropriation bill, which covers everything possible under the Government, the Senate strikes out all after the enacting clause and inserts the same language as the House bill with a few variations in amount, does anyone contend, much less the chairman of the Committee on Appropriations, that that would authorize the conferees to increase the amounts over the amounts fixed either in the House or the Senate bill, or to include entirely new propositions which had never been considered either by the House or the Senate, because they might have been included in a sundry civil appropriation bill? Suppose when we pass the public-building bill or the river and harbor bill the Senate strikes out all after the enacting clause. Does anyone contend that that would give to the conferees power to change the amounts, which were the same in the House and the Senate bills, and that if the House had provided for a public building at Jonesboro to cost $100,000 and the Senate had provided for a public building at Jonesboro to cost $100,000 that the conferees could authorize a public building at Smithville to cost $250,000?

The pretense is ridiculous when you carry it to its logical end. The conferees had a broad power over the woolen schedule, but where the House had fixed a rate on a certain article of wool or woolen goods and the Senate had fixed the same rate, both Houses had agreed upon that rate. In Jefferson's Manual—and I do not know whether it is proper to quote it in a Democratic House after it was ruled out of order the other day [laughter on the Republican side]—in Jefferson's Manual, Jefferson quotes approvingly a statement, on page 272:

So the Commons resolved that it is unparliamentary to strike out, at a conference, anything in a bill which hath been agreed and passed by both Houses.

These items have been agreed to and passed by both Houses, some of them in precisely the same language. The conferees have no more right to change that than they would have to change the amount in a public-building bill where both bodies had agreed to the same or to change an amount in any other appropriation bill. The House, when it agrees to a conference, has a right to know that the conferees will confine themselves to the points in disagreement, because in no other way can the House protect its integrity and prevent in the end, in some cases, improper influences being used upon the conferees. The conference report is a whole. If the conferees insert an item, it can not be differentiated from others except upon a point of order, and where conferees claim the power to make a new bill, both Houses having agreed to the same item, and they present a new proposition, it lays the conferees open to the suspicion of undue influences; and that ought not to be permitted, and the rules ought to be observed in a way which would not permit it.

Why was the rate on Angora goat hair raised from 20 per cent, as fixed by the House, and 10 per cent, as fixed by the Senate? Whose influence was that? Why was the rate on hair goods raised from 40 per cent, as fixed by the House, and 35 per cent, as fixed by the Senate, to 49 per cent? Whose influence was that? Is that light upon the conferees, or is it influence? I fear it was influence. [Applause on the Republican side, and cries of "Rule!" "Rule!"]

The SPEAKER. The Chair is ready to rule.

Mr. HILL. Mr. Speaker, I desire to say a few words, and they will be very brief. I believe, under the Constitution of the United States, the House has the right to originate revenue legislation. I believe the claim made by the chairman of the committee on the other side is utterly destructive of that principle. I care not for all the precedents, or anything of that kind. I have observed, in 17 years' service in this House, that precedents are quoted according to the necessity for sustaining a decision. I have more faith in the good, sound common sense of the Speaker of this House than to believe that he will consent to a proposition that, where the House has said that the bill shall go into effect on the 1st of January next, and where the Senate has said that the bill shall go into effect on the 1st of January next, a conference committee can change the date fixed by both Houses and put it on the 1st of October. If so, the power of this House has gone, and legislation is transferred inevitably to its conference committees in the future. [Applause on the Republican side.]

The SPEAKER. The Chair is ready to rule. The desire of the present occupant of the chair is to rule fairly; and, so far as I am individually concerned, I would rather have it said of me, after I have finally laid down the gavel, that I was the fairest Speaker that the House ever had than that I was the greatest.

The gentleman from Wisconsin last Saturday made a remark which deserves the consideration of the House, and that was that no Speaker could afford to render a decision for temporary benefit to his party fellows without considering the ultimate and general effect of it. That is absolutely true.

The Chair thoroughly agrees with one proposition of the gentleman from Connecticut [Mr. HILL]—that the House originates revenue measures; and the Chair thinks that the first House of Representatives that ever sat ought to have determined that the Senate could not substitute a new tariff bill for one passed by the House. [Applause.] But they have been going on in that course for 122 years. If I can get one House of Representatives which will agree to stay here for two years, I shall be perfectly willing to tackle the Senate on that proposition. [Applause.]

Mr. MANN. We will stay.

SEVERAL MEMBERS. We are with you.

The SPEAKER. The particular matter at bar seems to have been differentiated into two classes by previous Speakers: One, where the dispute between the two Houses is simply a dispute about rates or about amounts, and the other where one House strikes out everything after the enacting clause and substitutes an entirely new bill.

The Chair has no doubt whatever that at least one contention of the gentleman from Illinois [Mr. MANN] is correct. That is, that if it is a mere squabble about amounts or rates, the conferees can not go above the higher amount or rate named in one of the two bills or lower than the lower rate named in one of the two bills. But that is not this case. In this case the Senate struck out everything after the enacting clause and substituted a new bill. Last Saturday there did not seem to be any precedents to fit the point under consideration. This time, fortunately for the Chair at least, four great Speakers of this House have ruled on the proposition involved—Mr. Speaker Colfax, who was subsequently Vice President; Mr. Speaker Carlisle, subsequently Senator and Secretary of the Treasury; Mr. Speaken Henderson, and Mr. Speaker CANNON. The Chair does not know anything about the parliamentary clerks to Mr. Speaker Colfax and Mr. Speaker Carlisle, but the Chair is fully persuaded that every Member of this House who has served in prior Congresses will agree that Mr. Speaker Henderson and Mr. Speaker CANNON had the advantage of being advised by one of the most skillful parliamentarians in this country, the present Member from Maine [Mr. HINDS]. [Applause.]

All four of these Speakers, three Republicans and one Democrat, have passed on this question, and they have all ruled that where everything after the enacting clause is stricken out and a new bill substituted it gives the conferees very wide discretion, extending even to the substitution of an entirely new bill. The Chair will have three of these decisions read, and will have the decision of Mr. Speaker CANNON, just read by the gentleman from New York [Mr. FITZGERALD], incorporated into this opinion, because the question ought to be definitely settled during the life of this Congress at least. The Chair will first have the decision of Mr. Speaker Colfax read, and the Clerk will announce the volume and section of Hinds' Precedents.

The Clerk read as follows:

Hinds' Precedents, volume 5, section 6421:

"Where one House strikes out all of the bill of the other after the enacting clause and inserts a new text, and the differences over this substitute are referred to conference, the managers have a wide discretion in incorporating germane matters, and may even report a new bill on the subject. On March 3, 1865, Mr. Robert C. Schenck, of Ohio, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 51) entitled 'An act to establish a bureau of freedman's affairs,' reported that the Senate had receded from their amendment, which was a substitute, and the committee had agreed upon, as a substitute, a new bill, entitled 'An act to establish a bureau for the relief of freedmen and refugees.'

"As soon as the report had been read, Mr. William S. Holman, of Indiana, made the point that the report did not come within the scope of the conference committee. It did not report the proceedings of the Senate or an agreement by the committee on an amendment to the Senate's amendment to the House bill, but it reported an entire substitute for both the original bill and the substitute adopted by the Senate, and it established a department unprovided for by either of the other bills."

The Speaker [Mr. Colfax] said:

"The Chair understands that the Senate adopted a substitute for the House bill. If the two Houses had agreed upon any particular language or any part of a section, the committee of conference could not change that; but the Senate having stricken out the bill of the House and inserted another one, the committee of conference have the right to strike out that and report a substitute in its stead. Two separate bills have been referred to the committee, and they can take either one of them or a new bill entirely, or a bill embracing parts of either. They have a right to report any bill that is germane to the bills referred to them."

On an appeal the Chair was sustained—yeas 89, nays 35.

The SPEAKER. The Clerk will now read the ruling of Mr. Speaker Carlisle.

The Clerk read as follows:

Section 6422 of Hinds' Precedents, volume 5:

"6422. On August 3, 1886, the House had under consideration the report of the committee of conference on the river and harbor bill.

"Mr. William M. Springer, of Illinois, made the point of order that the conferees had included new matter in their report.

"The Speaker (Mr. Carlisle) ruled:

"The House passed a bill to provide for the improvement of rivers and harbors and making an appropriation for that purpose. That bill was sent to the Senate, where it was amended by striking out all after the enacting clause and inserting a different proposition in some respects, but a proposition having the same object in view. When that came back to the House it was treated, and properly so, as one single amendment and not as a series of amendments as was contended for by some gentlemen on the floor at the time.

"It was nonconcurred in by the House and a conference was appointed upon the disagreeing votes of the two Houses. That conference committee having met, reports back the Senate amendment as a single amendment with various amendments, and recommends that it be concurred in with the other amendments which the committee has incorporated in its report. The question, therefore, is not whether the provisions to which the gentleman from Illinois alludes are germane to the original bill as it passed the House, but whether they are germane to the Senate amendment which the House had under consideration and which was referred to the committee of conference. If germane to that amendment, the point of order can not be sustained on the ground claimed by the gentleman from Illinois. The Chair thinks they are germane to the Senate amendment, for, though different from the provisions contained in the Senate amendment, they relate to the same subject, and therefore the Chair overrules the point of order."

The SPEAKER. The Clerk will read the decision by Mr. Speaker Henderson.

The Clerk read as follows:

Section 6423, volume 5, Hinds' Precedents:

"6423. On February 25, 1901, Mr. GILBERT N. HAUGEN, of Iowa, presented the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 2799) to carry into effect the stipulations of article 7 of the treaty between the United States and Spain, concluded on the 10th day of December, 1898.

"The conferees recommended that the House recede from its amendment, which was in the nature of a substitute, striking out all after the enacting clause and inserting a new text; and they further recommended that the House agree to the Senate text with certain specified amendments.

"Mr. OSCAR W. UNDERWOOD, of Alabama, made a point of order that the conferees had exceeded their authority and incorporated in their report matters not in difference between the two Houses. The House text had substituted reference to the Court of Claims instead of to the commission proposed by the Senate text. The conferees not only recommended the adoption of the Senate text, but had enlarged the provisions of it, making the number of commissioners five instead of three, although, he asserted, there was no issue between the two Houses on this point, and also materially changing the Senate text in those portions relating to the right of appeal.

"After debate the Speaker [Mr. Henderson] held:

"The current of authorities in regard to the action of the conferees is that they must be held strictly to the consideration of such matters as are in issue between the two Houses. That is the general governing principle, and a most valuable one, and a necessary one. In this case, however, the Chair sees no difficulty. As stated by the gentleman from Pennsylvania [Mr. Mahon], the Senate presents a proposition for a commission; the House turns that down, so to speak, and adopts an amendment, by way of substitute, providing that these Spanish claims shall be referred for determination to the Court of Claims. In other words, the Senate contends for a commission, the House for the Court of Claims. The method of treating these Spanish claims is thus put in issue. The House, when it sent over to the Senate its amendment by way of substitute, said: 'We will not entertain your method; we have a better one; we offer you a substitute whereby these matters shall be referred to the Court of Claims instead of a commission.' That puts in issue every question bearing upon this controversy between the two Houses. The able remarks of the gentleman from Alabama [Mr. UNDERWOOD] have not suggested a single question that is not brought in issue between the two Houses in the present position of this question. The conferees have not gone beyond the matters in issue. On this point the Chair will ask the Clerk to read from the Parliamentary Precedents of the House of Representative, section 1420, a decision made by Speaker Colfax.

"The section having been read, the Speaker concluded:

"The House will readily see that the precedent just read bears strongly on this question, although in the present case the conferees have not gone so far as they did in that case. There is nothing here that is not germane to the main issue. In reference to no matter in controversy between the two Houses have the conferees attempted to trench upon or change a single expression that the two Houses have agreed upon. The Senate sends to this House a bill for which the House presents a substitute, and the report of the conferees seeks only to treat the matters in issue. The Chair feels clear that he is justified in overruling the point of order. The question is on agreeing to the report."

The SPEAKER. The Clerk will now read the decision by Mr. Speaker CANNON.

The Clerk read as follows:

Section 6424, volume 5, Hinds' Precedents:

"6424. Where the disagreement is as to an amendment in the nature of a substitute for the entire text of a bill, the managers have the whole subject before them and may exercise a broad discretion as to details.

"A point of order against a conference report should be made or reserved after the report is read and before the reading of the statement.

"On February 18, 1907, Mr. William S. Bennet, of New York, submitted the report of the managers of the conference on the bill (S. 4403) entitled 'An act to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903.'

"Before the report was read Mr. JOHN L. BURNETT, of Alabama, proposed to reserve a point of order.

"The Speaker said:

"The Chair will state to the gentleman from Alabama, who desired to reserve points of order, that it is the impression of the Chair that the point of order, if any is made, is in time after the report is read; but if the gentleman desires, out of abundant caution, he may reserve at this time points of order. * * * All points of order are reserved. The proper time to reserve points of order, as the Chair is informed, on conference reports is after the conference report is read and before the statement is read."

The report having been read, a point of order was made by Mr. BURNETT, who insisted that the managers had exceeded their authority in inserting the following provisions:

"*Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States, to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone."

And in another portion of the report the following:

"SEC. 42. It shall not be lawful for the master of a steamship or other vessel wherein immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein 18 clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and 20 clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than 7 feet," etc. (continuing in detail).

After debate, the Speaker (Mr. CANNON) held:

"The Senate during the last session passed an act entitled 'An act to amend an act entitled "An act to regulate the immigration of aliens into the United States,"' etc.

"This Senate bill was broad in its provisions and substantially amended the immigration laws then in force. It was very general in its nature, as will be found upon examination. The bill came to the House. The House struck out all of the Senate bill after the enacting clause, by way of amendment, and passed a substitute therefor. So that the House entirely disagreed with every line, with every paragraph, with every section of the Senate bill—everything except the enacting clause—and proposed a substitute therefor, and this substitute, on examination, is found to be a complete codification and amendment of existing immigration laws and, incidentally, the labor laws connected therewith, especially those dealing with contract labor, and with many other questions to which it is not necessary to refer. And in the final clause of the House substitute there is the provision:

"'That the act of March 3, 1903, being an act to regulate the immigration of aliens into the United States, except section 34 thereof, and the act of March 22, 1904, being an act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all acts and parts of acts inconsistent with this act are hereby repealed: *Provided*, That this act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons,' etc.

"So that not only does the House by its substitute amendment codify and amend all the laws touching immigration, but incidentally changes those relating to labor, especially contract labor. The House substitute is found to be abounding in section after section with the prohibition of contract labor in connection with immigration, and with various other provisions of a similar nature.

"The House substitute, by way of amendment, went to the Senate. The Senate disagreed to every line, paragraph, and section of the House provision; and with that disagreement to the Senate provision, and with the House provision in effect a disagreement to the original Senate bill, the whole matter went to conference. That is, by this action there was committed to conference the whole subject of immigration, and, as connected therewith, the prohibition of immigration by way of contract labor in the fullest sense of the words. * * * The Chair has not had time to hunt up all the provisions of the immigration laws of the country, but the repealing clause, with the exception as proposed by the House and the disagreement of the Senate, sent this whole matter, in the opinion of the Chair, to the conferees.

"Now, then, there is but one provision that is seriously contended for in the point of order that is made, and that is to be found on page 2 of the House conference report, No. 6607, and is as follows:

"'That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States, from such other country or from such insular possessions or from the Canal Zone.'

"Now, then, one of the principal efforts in legislation heretofore have been to exclude labor that is brought in under contract or is promoted, so to speak; and the very reason of that legislation has been and is that the labor conditions in the United States should not be affected unfavorably. Three sections of the House substitute deal expressly with that question. It is not like unto the precedent cited by the gentleman from Mississippi, which was made by the ruling of Mr. Speaker Henderson. The only thing there was a disagreement between the House and the Senate as to certain specified claims, and between the Senate and House as to certain other specified claims. The conferees in that case, taking in the whole sea or ocean of claims, from the birth of Christ to the supposed death of the man with hoofs and horns, picked out a number of claims that the House or Senate never had heard of or dealt with and put them in the conference report, and Mr. Speaker Henderson properly sustained the point of order to the conference report. The Chair has no difficulty nor any hesitation in

holding that this is germane first; and, second, that it comes within the scope of the disagreement between the House and Senate as affects immigration on the one hand and the interest of labor on the other, and therefore overrules the point of order."

Mr. Burnett having appealed, the appeal was laid on the table on motion of Mr. SERENO E. PAYNE of New York, by a vote of yeas 198, nays 104.

The SPEAKER. It will be observed from one of these decisions that in days gone by the gentleman from Alabama [Mr. UNDERWOOD] had the other end of this question than the one he has to-day [laughter], and that he was overruled. In view of this long line of decisions by illustrious Speakers, the Chair overrules the point of order of the gentleman from Illinois [Mr. MANN]. [Applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The Chair will suggest to the gentleman that the statement of the conferees has not yet been read. Does he desire to have that read?

Mr. UNDERWOOD. I do not care to have the statement read.

Mr. PAYNE. Mr. Speaker, I will ask the gentleman if there is to be any arrangement about debate?

Mr. UNDERWOOD. Mr. Speaker, I was just about to state that I understand if the previous question is ordered there will be 20 minutes debate on each side.

Mr. PAYNE. I did not understand the gentleman to move the previous question. Several gentlemen on this side would like to be heard.

Mr. UNDERWOOD. I am perfectly willing to have that length of time for debate. I do not think there is any necessity for delaying the House on this conference report, however. Everybody knows what is in it, and knows all about it. Twenty minutes on a side will enable the gentleman from New York and myself to present the case.

Mr. PAYNE. No gentleman in the House knows the reason for any of it.

Mr. UNDERWOOD. Well, I will agree with the gentleman that we have an hour's debate, each side to control half an hour.

Mr. MANN. Would not the gentleman agree to two hours' debate and then that the previous question shall be considered in operation? That would close debate at 4 o'clock.

Mr. UNDERWOOD. We have had some debate already. If I move the previous question I will cut off debate. I will announce——

Mr. MANN. I do not think that is the case. There has been no debate on this proposition.

Mr. UNDERWOOD. Unless the gentlemen are willing to agree to debate of an hour on the bill, I will move the previous question, which will give them 20 minutes on their side and give us 20 minutes on our side.

Mr. MANN. That is only 10 minutes more. Would not the gentleman concede an hour on a side and then have the previous question operate?

Mr. UNDERWOOD. I would be very glad if there was anything to debate about.

Mr. MANN. But we think there is.

Mr. PAYNE. The gentleman must appreciate that this is the first time that an entirely new revenue bill has ever originated in a conference committee.

Mr. UNDERWOOD. If the gentleman wants an hour, half an hour on each side, I will agree to it, and if not, I will move the previous question.

Mr. MANN. Oh, we do not care to be cut off in that way.

Mr. UNDERWOOD. Then, Mr. Speaker, I move the previous question.

The SPEAKER. The question is on ordering the previous question.

Mr. MANN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 170, nays 118, answered "present" 9, not voting 88, as follows:

YEAS—170.

Adair	Buchanan	Cox, Ohio	Doughton
Adamson	Bulkley	Cravens	Driscoll, D. A.
Aiken, S. C.	Burke, Wis.	Cullop	Dupre
Alexander	Burleson	Curley	Edwards
Allen	Burnett	Daugherty	Ellerbe
Ashbrook	Byrnes, S. C.	Davenport	Evans
Barnhart	Callaway	Davis, W. Va.	Faison
Bartlett	Carlin	Dent	Ferris
Bathrick	Clark, Fla.	Denver	Fields
Beall, Tex.	Claypool	Dickinson	Finley
Bell, Ga.	Clayton	Dickson, Miss.	Fitzgerald
Blackmon	Cline	Dies	Flood, Va.
Booher	Collier	Difenderfer	Floyd, Ark.
Borland	Connell	Dixon, Ind.	Foster, Ill.
Brantley	Conry	Donohoe	Fowler
Brown	Cox, Ind.	Doremus	Francis
Gallagher	Jacoway	Pepper	Smith, N. Y.
Garner	Johnson, Ky.	Peters	Sparkman
Garrett	Johnson, S. C.	Post	Stedman
George	Kent	Pou	Stephens, Miss.
Godwin, N. C.	Kinkead, N. J.	Pujo	Stephens, Tex.
Goeke	Konop	Raker	Stone
Goldfogle	Korbly	Randell, Tex.	Sweet
Graham	Lamb	Ransdell, La.	Talbott, Md.
Gregg, Pa.	Lee, Ga.	Rauch	Talcott, N. Y.
Gudger	Lee, Pa.	Reilly	Taylor, Ala.
Hamill	Lewis	Richardson	Taylor, Colo.
Hamlin	Littlepage	Roddenbery	Thayer
Hammond	Littleton	Rothermel	Thomas
Hardwick	Lloyd	Rouse	Townsend
Harrison, Miss.	Lobeck	Rubey	Tribble
Hay	McCoy	Rucker, Colo.	Turnbull
Heflin	McDermott	Rucker, Mo.	Tuttle
Helm	Macon	Russell	Underhill
Henry, Tex.	Maguire, Nebr.	Sabath	Underwood
Hensley	Martin, Colo.	Sculiy	Watkins
Holland	Mays	Shackleford	Webb
Houston	Moon, Tenn.	Sharp	Whitacre
Howard	Moore, Tex.	Sheppard	White
Hughes, Ga.	Morrison	Sherwood	Wickliffe
Hughes, N. J.	Moss, Ind.	Sims	Witherspoon
Hull	O'Shaunessy	Sisson	
Humphreys, Miss.	Page	Small	

NAYS—118.

Akin, N. Y.	French	Langley	Prouty
Anderson, Minn.	Fuller	Lenroot	Rees
Barchfeld	Gardner, Mass.	Lindbergh	Reyburn
Bartholdt	Gillett	Loud	Roberts, Mass.
Bates	Good	McCall	Roberts, Nev.
Bingham	Gray	McKenzie	Rodenberg
Bowman	Green, Iowa	McKinley	Slemp
Burke, S. Dak.	Greene, Mass.	McKinney	Sloan
Butler	Hamilton, Mich.	McLaughlin	Smith, J. M. C.
Campbell	Hanna	McMorran	Smith, Saml. W.
Cannon	Hardy	Madden	Speer
Catlin	Harris	Madison	Steenerson
Cooper	Hartman	Mann	Stephens, Cal.
Copley	Haugen	Martin, S. Dak.	Sterling
Crago	Hayes	Miller	Stevens, Minn.
Crumpacker	Heald	Mondell	Switzer
Currier	Henry, Conn.	Moore, Pa.	Taylor, Ohio
Dalzell	Higgins	Morgan	Thistlewood
Danforth	Hill	Morse, Wis.	Towner
Davidson	Howland	Murdock	Utter
Davis, Minn.	Hubbard	Nelson	Volstead
Dodds	Hughes, W. Va.	Norris	Wedemeyer
Draper	Humphrey, Wash.	Nye	Weeks
Driscoll, M. E.	Kahn	Olmsted	Willis
Dwight	Kendall	Patton, Pa.	Wilson, Ill.
Dyer	Kennedy	Payne	Woods, Iowa
Esch	Kinkaid, Nebr.	Pickett	Young, Kans.
Farr	Knowland	Plumley	Young, Mich.
Foss	Kopp	Pray	
Foster, Vt.	La Follette	Prince	

ANSWERED "PRESENT"—9.

Byrns, Tenn.	Guernsey	Longworth	Needham
Carter	Howell	Murray	Padgett
Covington			

NOT VOTING—88.

Ames	Fornes	Latta	Rainey
Anderson, Ohio	Gardner, N. J.	Lawrence	Redfield
Andrus	Glass	Legare	Riordan
Ansberry	Goodwin, Ark.	Lever	Robinson
Anthony	Gould	Levy	Saunders
Austin	Gregg, Tex.	Lindsay	Sells
Ayers	Griest	Linthicum	Sherley
Berger	Hamilton, W. Va.	McCreary	Simmons
Boehne	Harrison, N. Y.	McGillicuddy	Slayden
Bradley	Hawley	McGuire, Okla.	Smith, Tex.
Broussard	Helgesen	McHenry	Stack
Burgess	Hinds	Maher	Stanley
Burke, Pa.	Hobson	Malby	Sulloway
Calder	Jackson	Matthews	Sulzer
Candler	James	Moon, Pa.	Tilson
Cantrill	Jones	Mott	Vreeland
Cary	Kindred	Oldfield	Warburton
De Forest	Kitchin	Palmer	Wilder
Estopinal	Konig	Parran	Wilson, N. Y.
Fairchild	Lafean	Patten, N. Y.	Wilson, Pa.
Focht	Lafferty	Porter	Wood, N. J.
Fordney	Langham	Powers	Young, Tex.

So the previous question was ordered.

The Clerk announced the following pairs:

For balance of day:

Mr. PADGETT with Mr. GARDNER of New Jersey.

Until Monday night:

Mr. MURRAY with Mr. WILDER.

Until Tuesday noon:

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. BYRNS of Tennessee with Mr. AUSTIN.

Mr. HARRISON of New York with Mr. DE FOREST (reserving the right to vote to make a quorum and all votes affecting the vetoes of the President).

Mr. OLDFIELD with Mr. MOON of Pennsylvania (reserving the right to vote to make a quorum and all questions affecting a veto of the President).

Mr. BROUSSARD with Mr. FOCHT (reserving the right to vote to make a quorum and all questions affecting a veto of the President).

Until Thursday noon:
Mr. JAMES with Mr. LONGWORTH (reserving the right to vote to make a quorum and on all votes except vetoes of the President).
Until August 19:
Mr. KONIG with Mr. POWERS.
Until August 19, inclusive:
Mr. REDFIELD with Mr. NEEDHAM (reserving the right to vote to make a quorum and all votes affecting vetoes of the President).
Until Saturday night:
Mr. KITCHIN with Mr. AMES (reserving the right to vote to make a quorum and on all matters except veto of the President).
Until further notice:
Mr. WILSON of Pennsylvania with Mr. VREELAND.
Mr. SHERLEY with Mr. TILSON.
Mr. PALMER with Mr. SIMMONS.
Mr. LINDSAY with Mr. SELLS.
Mr. LEGARE with Mr. PORTER.
Mr. LATTA with Mr. MOTT.
Mr. KINDRED with Mr. MATTHEWS.
Mr. HAMILTON of West Virginia with Mr. MCCREARY.
Mr. GOODWIN of Arkansas with Mr. LAWRENCE.
Mr. GLASS with Mr. LAFFERTY.
Mr. ESTOPINAL with Mr. JACKSON.
Mr. CANDLER with Mr. HELGESEN.
Mr. ANSBERRY with Mr. HAWLEY.
Mr. COVINGTON with Mr. PARRAN.
Mr. GOULD with Mr. HINDS.
Mr. HOBSON with Mr. FAIRCHILD (transferable).
Mr. MCHENRY with Mr. LAFEAN.
Mr. SAUNDERS with Mr. LANGHAM.
Mr. AYRES with Mr. BURKE of Pennsylvania.
Mr. GREGG of Texas with Mr. GRIEST.
Mr. ROBINSON with Mr. WOOD of New Jersey.
Mr. BOEHNE with Mr. CARY.
Mr. LEVY with Mr. ANTHONY.
For balance of the session:
Mr. SULZER with Mr. MALBY (reserving the right to vote to make a quorum and all questions affecting a veto of the President).
Mr. SLAYDEN with Mr. FORDNEY.
Mr. MAHER with Mr. CALDER.
Mr. RAINEY with Mr. HOWELL.
Mr. FORNES with Mr. BRADLEY.
Mr. RIORDAN with Mr. ANDRUS.
Mr. LEVER with Mr. SULLOWAY.
Mr. CANTRILL with Mr. MCGUIRE of Oklahoma.

Mr. PADGETT. Mr. Speaker, I desire to know if the gentleman from New Jersey, Mr. GARDNER, is recorded?

The SPEAKER. He is not recorded.

Mr. PADGETT. I have a pair with the gentleman for to-day, and I wish to withdraw my vote of "aye" and answer "present."

The SPEAKER. Call the gentleman's name.

The name of Mr. PADGETT was called, and he answered "Present."

Mr. MURRAY. Mr. Speaker, I desire to know if the gentleman from Massachusetts [Mr. WILDER] is recorded?

The SPEAKER. He is not recorded.

Mr. MURRAY. I have a pair with the gentleman for to-day, and I wish to withdraw my vote "aye" and answer "present."

The SPEAKER. Call the gentleman's name.

The name of Mr. MURRAY was called and he answered "present."

Mr. BYRNS of Tennessee. Mr. Speaker, I desire to know whether Mr. AUSTIN voted on this roll call? I do not think he did.

The SPEAKER. He did not.

Mr. BYRNS of Tennessee. I voted "aye," and I desire to withdraw my vote and answer "present."

The SPEAKER. Call the gentleman's name.

The name of Mr. BYRNS of Tennessee was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. The gentleman from Alabama is entitled to 20 minutes and the gentleman from New York [Mr. PAYNE] to 20 minutes.

Mr. UNDERWOOD. Mr. Speaker, the conferees' report presents to the House an amendment of Schedule K which we do not claim expresses the Democratic position in reference to a revision of this schedule. If we had had the power to write a tariff bill on Schedule K we would write a lower rate—a much lower rate [applause on the Democratic side] in some particulars—but we have control, so far as our party is concerned, of only one House of Congress, and we are limited in our action by what the other House of Congress is willing to do. The conferees on the part of the House desired a lower rate on raw wool, desired lower rates on manufactured wool; the Senate conferees desired a higher rate on raw wool and higher rates on manufactured wool. Manifestly, if we desired to pass a bill to grant some relief to the American people it was necessary for the House conferees to come to an agreement and yield to some extent to the Senate, as the Senate conferees yielded to some extent to the House. In the classification of the paragraph on raw wool the Senate conferees yielded to the House and agreed to the House classsification. In reference to the classification relating to cloths and women's dress goods and webbing, gorings, beltings, suspenders, and so forth, the House bill had three separate paragraphs at different rates. The Senate bill had one paragraph, and included in that one paragraph also flannels and blankets. We insisted that there should be a very much lower rate on flannels and blankets than there were on cloths and men's dress goods and women's dress goods, because we believe that flannel underwear and flannel blankets represented the needs and the necessities of the poor people of the United States, and for that reason we insisted on a separate classification and a lower rate in reference to blankets and flannels, and the Senate conferees yielded, and, although not agreeing to a rate as low as the House rate, they have agreed to a very much lower rate—11 per cent lower—than they insisted on on cloths and clothing and women's dress goods.

Now, in reference to the classification in the carpet schedule, we had eight or nine different classifications in the House bill. Your conferees finally agreed on three classifications. The Senate bill had only one classification in reference to carpets. We finally yielded and made three classifications in reference to carpets, one embracing that high grade of carpets and rugs that only the very rich are able to buy, and put a high rate of duty, 50 per cent ad valorem, as high as the House bill provided for, on those luxuries. We agreed on a third classification as to carpets embracing the medium grades of carpets that the well-to-do people buy, and put a rate of 40 per cent ad valorem on them, a lower rate on that than the Senate bill. We agreed on a third classification for carpets, those very low grades of carpets that only the poor people are able to buy, and on that classification we put a rate of 30 per cent ad valorem, only raised the rate 5 per cent above the rate in the House bill. So that, having carpets and flannels and blankets very close to the House bill and the raise in the rates in the conference report being largely on the higher grades of goods that the wealthier people of the United States buy, we feel that we have presented to the House a reasonable bill, a bill higher than we would have passed ourselves, but a bill that we can defend before the country and a bill that will bring great relief to the American people. [Applause on the Democratic side.]

As to raw wool, the House rate was 20 per cent. The Senate divided the bill into two classes, embracing in the first class the classes 1 and 2 in the Payne bill, relating to clothing wool, and placed the rate on that class at 35 per cent. That was competitive wool. That was wool that competed with the American flocks. They put a low rate on carpet wools, which are not competitive wools. As your conferee I stated to the Senate committee that the only purpose that we had in levying a rate on raw wool was for revenue, and that if we levied a higher rate on competitive wool and a lower rate on noncompetitive wool, that of necessity recognized the principle of protection in the face of our bill, and I could not agree to it.

The Senate, without yielding their principles, could agree to a uniform rate, because, although they may say that you can put noncompetitive articles on the free list without violation of the principle of protection, yet you can put a revenue duty or any duty on noncompetitive articles and not violate the principle of protection. For that reason the Senate agreed that we should have a uniform rate on raw wool. As I said, our bill called for 20 per cent; their bill called for 35 per cent on the competitive wools, which amounted to about two-thirds of the importations into this country, and 10 per cent on the noncompetitive wools, which amounted to about one-third of the importations into this country. We finally compromised and agreed to take 29 per cent on all raw wool, which was an advance of 9 per cent over the House bill.

The present revenues that are raised under the Payne bill on raw wool amount to $21,128,000. The revenue raised under the House bill was $13,398,000 as estimated. The estimated revenue under the conference report on raw wools amounts to $17,400,000. Now, as to manufactures of wool there is not nearly as much advance in the Senate bill over the House bill as there is in reference to raw wool. In fact, there is only a very reasonable advance on manufactured goods. The imports under the Payne bill were $23,057,000. The duties obtained on manufactures of wool amounted to $20,776,000. The House bill esti-

mated $63,831,000 of imports, with a revenue of $27,157,000. The conference report estimated the importation on manufactures of wool at $51,890,000, about $12,000,000 less than was estimated in the House bill, but it is estimated that the conference report, by reason of the increased rate of duty, will produce $25,094,000, a loss of something over $2,000,000 when compared with the duties obtained by the House bill on manufactures of wool, and a gain of something over $4,000,000 on the duties raised by the Payne bill.

The total revenue that was derived by the Payne bill for the year 1910 amounted to $41,934,000. The estimated revenue raised by the House bill was $40,556,000. The estimated revenue to be derived from the bill reported by the conferees is $42,494,000, an increase of revenue as estimated of nearly $2,000,000 above the revenues obtained from the House bill; so that, if this conference bill becomes a law, instead of a loss of revenue there will be an increase of revenue of nearly 5 per cent over the House bill.

I want to call your attention to this fact: The place where the people of the United States pay their taxes is not on raw wool, but on the finished product. It is on the dress goods, on the cloth, on the blankets, on the women's clothing that they buy, and not on the raw wool that is imported into the United States.

Under the present law the taxes levied on the American people upon the finished manufactures of wool that they buy amount to 90.10 per cent ad valorem. Under the House bill it amounted to 42.55 per cent ad valorem. Under the conference bill, as it is presented to the House to vote on to-day, the taxes that the American people will pay on the average amount to 48.36 per cent ad valorem. In other words, if you pass this bill and the Senate of the United States passes the bill and the President signs it, you will save to the people of the United States in their taxes on manufactures of wool the difference between 90.10 per cent and 48.36 per cent [applause on the Democratic side], or, in round figures, 42 per cent on all the manufactures of wool that the American people buy.

Now, I want to call your attention to what the House conferees have conceded to the Senate in order to enable us to pass a bill which I hope the President of the United States will have the patriotism to sign. [Applause on the Democratic side.] The House bill provided, on manufactures of wool, for a tax of 42.55 per cent. The conference bill provides for a tax on manufactures of wool of 48.36 per cent, or an increase of 5.79 per cent. In other words, the average increase in the bill presented by the conference report on manufactures of wool over the bill that this House passed is less than 6 per cent. And I say to the Democrats on this side of the House and to our friends on that side of the House who want to give relief to the people, that we can well afford to put this bill through the House and send it to the President of the United States in order that we may get some relief for the American people, even if it does not entirely express our views on this question. [Applause on the Democratic side.]

Mr. Speaker, I reserve the balance of my time, and insert the following comparative statement:

Comparative statement of the imports, duties, average unit of value, and equivalent ad valorem rate of duty on wool and manufactures of wool, on the basis of the imports of 1910 and as estimated for 1912, in the House and conference bills.

Items.	Present act—Results for year ending June 30, 1910.	Proposed act—Estimated results for a 12-month period.	
		House bill.	Conference bill.
Raw wool:			
Imports	$47,687,293.20	$66,991,000.00	$60,000,000.00
Duties	$21,128,728.74	$13,398,200.00	$17,400,000.00
Average unit of value, per pound	$0.186		
Equivalent ad valorem rate, per cent	44.31	20.00	29.00
Manufactures of wool:			
Imports	$23,057,958.78	$63,831,000.00	$51,890,200.00
Duties	$20,776,121.26	$27,157,800.00	$25,094,200.00
Equivalent ad valorem rate, per cent	90.10	42.55	48.36
Raw wool, and manufactures of:			
Imports	$70,745,251.98	$130,822,000.00	$111,890,200.00
Duties	$41,904,850.00	$40,556,000.00	$42,494,200.00
Equivalent ad valorem rate, per cent	59.23	31.00	37.98

Mr. PAYNE. Mr. Speaker, I yield seven minutes to the gentleman from Connecticut [Mr. HILL].

The SPEAKER. The gentleman from Connecticut [Mr. HILL] is recognized for seven minutes.

Mr. HILL. Mr. Speaker, I think this is the first time that the people of the United States have ever seen legislation enacted through a slot machine. [Laughter on the Republican side and cries of "Louder!" on the Democratic side.] Oh, you will hear from the country by and by if you do not hear from me now, so that it is not necessary to shout "Louder!" [Laughter on the Republican side.] The House has dropped one piece of legislation in the slot, and the Senate has dropped another in, and the Senator from Wisconsin [Mr. LA FOLLETTE] and the gentleman from Alabama [Mr. UNDERWOOD] have pulled out a piece of chewing gum. [Laughter on the Republican side.]

The gentleman from Alabama has just made a statement that this bill gives a certain average rate of duty, and if the Democratic Party had its way they would make it lower yet. I call his attention to the fact that the chief item of importation under the woolen schedule, aside from wool itself, is woolen cloth; and under the rate of duty he has given and with the rate on wool out of which it is made it will give to the manufacturer of woolen goods in this country a duty of 30.15 per cent, which is 20 per cent less than his predecessors in the Democratic Party gave under the Wilson bill; that on the lower class of woolens, which were 40 cents a pound and less, deducting the compensatory duty on wool, it will give a duty of 21.65 per cent; and that both of these duties on woolen goods manufactured in the Northern States are less than the corresponding duties on cotton manufactures both in the North and the South.

Now, I called the gentleman's attention the other day to the mode of classification used in this woolen bill. It was the first one of the schedules presented. I said that there should be a graded duty on woolen cloths. I said it not because of my own judgment, because I distrusted that, but I had gone back to the Walker tariff bill, and I had found in 65 years of American history since that law was enacted that there never had been either a woolen or a cotton bill that did not have graded duties, whether specific or ad valorem.

I call the attention of the gentleman now to the fact that this woolen bill has only one duty on cloths; but when you come to your cotton bill it has six duties, rated according to fineness and quality; and unfortunately the coarse, common grades, many of them, have their duties raised, while the duties on the better grades and the finer cotton cloths are very materially lowered. Why did you do it? Ah, the gentleman replied the other day:

> I will state to the gentleman that the committee having adopted an ad valorem rate all through the bill that rises and falls with the value of the goods concluded that the ad valorem rate would adjust itself without having to make a specific change.

It was a good argument as long as it lasted. I now call the gentleman's attention to his own language in the report on the cotton bill, absolutely destroying what he said with regard to the woolen industry and putting himself in an unfair light before the American people with regard to his treatment of these two different textiles. On page 34 of the report he says:

> Slightly higher rates are provided for cloths when bleached, dyed, colored, stained, painted, printed, or mercerized, in order to secure more revenue from such cloths, which include the fabrics of greatest value.
> Moreover—

I call the attention of the House to this, for the raise is 20 to 30 per cent with reference to cotton and no raise for like processes with reference to woolen cloths.

> Moreover, it is considered entirely equitable to impose higher rates of duty on finer and more costly fabrics.

It is more equitable in cotton. Is it more equitable or not in woolen? Why did you not treat the two textiles in the same way? Why did you bring in a classification here under which you have given three times the rate of duty on a piece of mercerized cotton that the Payne bill gave? I remember distinctly when some of our Republican friends from the West and some of our Democratic friends from the South and West elaborated on the duty of 1 cent a yard on mercerized cotton. Yet this bill gives 5 per cent on the whole fabric if there is one mercerized thread in the piece of cotton.

I saw a gentleman here last week with a very fine suit of clothes composed of unbleached cotton mercerized. It was like silk. I asked him what he thought the cost of the cloth was. Fifty to sixty cents a yard was a reasonable price. Yet under this Democratic bill you put 5 per cent extra on a piece of mercerized cotton, which in that case would be 3 cents a yard, instead of the 1 cent which the Payne bill carries. Why did you do it? Did you not know that it costs more to make woolen cloth than it does to make cotton cloth? Do you not know that you take your cotton from the field and put it into a picker, and then it goes to the carder and spinner and is woven, while the wool must be sorted by hand, the pieces of fiber picked out, and put in the different qualities? And it is the highest-paid labor

in the industry for sorting it. After that is done it must be scoured before it is ready for use, while it is not necessary to do this to cotton. Do you not know that woolen goods must be dyed? Do you not know that they must be woven? Yet in your cotton industry you have absolutely advanced the duty on some grades. By fineness, by weaving, by mercerizing you have made nine different classifications, from the raw cotton up to the fabric, and you have made two in wool—one on yarn and one on cloth. Why did you do it? The American people will want to know why.

We saw here the other day that in the Democratic cotton bill some coarse, common, unbleached cotton was raised enormously in duty; but they said: "There are only a thousand dollars' worth imported; the duty is prohibitive." I took the trouble to go to the greatest expert in cotton manufacturing in the United States and ask him whether there was only a small quantity produced here, and he told me that out of the 10,000,000 spindles running in the Southern States between 3,000,000 and 4,000,000 spindles were exclusively engaged in that class of production. [Applause on the Republican side.]

Mr. PAYNE. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Speaker, after listening to the elaborate apology of the gentleman from Alabama [Mr. UNDERWOOD] for this conference report, I do not wonder why that side of the House has applied the gag in this debate. [Applause on the Republican side.] If the gentleman from Alabama can not praise this measure—and even his genial smile did not conceal his lack of enthusiasm for it—it is not surprising that there are not many gentlemen on that side of the House who want to be heard in praise of it.

The gentleman from Alabama says that this is not a Democratic measure; that it is not a revision of the wool schedule such as he would write had he the power. But he defends his position in assenting to this conference report by calling it a compromise. Since he made that statement a few moments ago I desired to find out exactly what a "compromise" is. I consulted the Century Dictionary and found the following definition:

Compromise: A thing partaking of and blending the qualities, forms, or uses of two other and different things; as, a mule is a compromise between a horse and an ass.

[Laughter.]

Of course we will not all agree here as to which is the horse and which is the ass in this case, but we apparently do agree about the general characteristics of the resulting "compromise." The apology of the gentleman from Alabama lends additional force to the ancient description of the mule as being the only animal in existence without either pride of ancestry or hope of posterity. [Laughter.]

Mr. Speaker, if gentlemen on the other side expect that the country will take this as a serious, honest, and bona fide revision of the wool duties, they reckon without their host. Their half-hearted defense of this makeshift "compromise" will not appeal to thinking men, nor does it hold out bright promise of the success of their efforts in tariff revision in the future. This "compromise," based as it is on an avowed lack of accurate knowledge as to wool production and manufacture, conducted as it was under a system of barter and sale between two gentlemen, one advocating protective duties, the other revenue duties, would be bad enough in any case, but under the existing circumstances is, in my view, indefensible. In only a little more than three months we shall have an exhaustive report by the Tariff Board upon the whole wool question. To anticipate this report is in the highest degree inadvisable. Nothing can be gained by action now. Nothing would be lost by delay. In spite of all that the gentleman from Alabama has said of the possibility of the President's signature to this bill I do not believe that he or any other Member of this House thinks that it will become a law at this session of Congress.

The SPEAKER. The time of the gentleman has expired.

Mr. PAYNE. Mr. Speaker, I yield three minutes to the gentleman from Pennsylvania [Mr. DALZELL].

Mr. DALZELL. Mr. Speaker, I do not know that I shall occupy the three minutes yielded to me, because it goes without saying that it would be utterly impossible to discuss a tariff bill within that period of time. I rise simply to enter my protest against the unfairness with which this legislation is being pressed. I do not believe that in all the history of the American Congress ever before has the minority been compelled to discuss a great tariff measure within the brief space of 20 minutes, and those 20 minutes imposed on them by the application of a gag in the passage of the previous question. This measure has been ill-considered from the very outstart. The original bill that went from the House to the Senate was never considered in this House. The only time that it was ever considered at all was in the two or three hours that was spent in a Democratic caucus, and when the bill was brought into the House it was brought in with an apology, a denial that it represented Democratic doctrine. A resolution, in the words of the peerless leader, was passed by the Democratic caucus for the purpose of disinfecting the caucus. It strikes me that some action is necessary on your part, gentlemen, now to disinfect this conference report. This bill is not the bill that went from the House to the Senate, nor is it the bill that came from the Senate to the House. It is a new bill that has never been discussed anywhere. It has never been explained to this House save in the few minutes when the gentleman from Alabama [Mr. UNDERWOOD] occupied the floor. I venture to say that every gentleman within the sound of my voice will indorse what I say when I say that he does not understand any part of this bill from the beginning to the end of it. For instance, the gentleman from Alabama has given us no excuse, no reason, why in the trade made between him and the Senator from Wisconsin he agreed to raise the rate of duty on third-class wool as fixed in the Senate bill 190 per cent, nor does he give any reason for the raises of duties all along the line from those fixed in the House bill. Does he believe that the country will be satisfied with his little 20-minute explanation and apology and with his application of the gag rule to the minority who are desirous of intelligently discussing and finding out something about this measure? Even now, without further opportunity for debate, my limited time expires.

Mr. Speaker, I may desire hereafter to put some figures in the RECORD in connection with this bill, and for that reason I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Alabama has six minutes remaining and the gentleman from New York has six minutes remaining.

Mr. UNDERWOOD. Mr. Speaker, there will be but one other speech on this side of the House, and I will ask the gentleman from New York to consume his time.

Mr. PAYNE rose.

Mr. WILSON of Illinois. Tell us all about it Mr. PAYNE. [Laughter.]

Mr. PAYNE. Mr. Speaker, I hardly know where to begin on this mongrel that has come in here as the product of the brain of the gentleman from Alabama [Mr. UNDERWOOD] and one of the Senate conferees. It was the open conference, Mr. Speaker, which we had that marked the new era in legislative history. When we went in there a motion was made to refer the question in dispute to the gentleman from Alabama [Mr. UNDERWOOD] and the Senator from Wisconsin [Mr. LA FOLLETTE], and that was carried. After several days they came in there and reported they had come pretty near to an agreement. It was after they had gotten to an agreement, as it afterwards appeared. Gradually they yielded one point a little higher and one a little lower until they agreed to 29 per cent duty on all wools. It was a revelation to me for the gentleman from Alabama to work himself up to that point, after the speech he made here commending this bill, because it was simply a free-trade-tariff-for-revenue-only when he brought it into the House and he was going to fill up the "depleted" Treasury in this bill by 20 per cent on wool, and that was the only excuse for it. Why did he get up to 29 per cent? The whole effort was so patent, Mr. Speaker! They wanted to put a bill up to the President to see whether he would veto it or not. They will find out when they get it up to him, and pretty sudden [applause on the Republican side], because there will be some words about it, inasmuch as he has unlimited time and we have only 20 minutes on our side to dissect this iniquitous proceeding.

The gentleman from Alabama [Mr. UNDERWOOD] pleaded almost with tears in his eyes to keep blankets down to a duty of 30 per cent, and they would not have that. And then the gentleman from Texas [Mr. RANDELL] repeated that old argument made on the stump about the high duty levied on the poor man's blanket and that he had to sleep without one, and he wanted to get that duty down to the House bill. But no; the Senate conferee was inexorable, and blankets, the poor man's and the rich man's and all the other men's blankets, were put up to the same duty of 38 per cent. And so their argument about the poor man's blanket has gone glimmering in this bill. You can never raise it with good faith in your districts after this.

And then they go on and regulate the duty on cloths. The gentleman from Alabama, having gone through the cotton bill in the meantime, made a plea for a different duty on different kinds of cloths—fine and coarse—and for a difference between cloth and ready-made clothing. But the Senate conferees said

no, and with that smiling disposition of his the leader on the other side had to yield to the contention and put a uniform duty on cloths and on clothing, forgetting that on every suit of clothes that is made there is a large waste of the amount of woolen cloth that is cut away and becomes nothing but rags, with rag prices on it.

And so it went on. It was pitiful, gentlemen. I have been on many a committee in this House where I have seen conferees willing to yield, and sometimes compelled to yield, but I never saw such willing yielding as there seemed to be in this instance, simply confirming our suspicion that the gentleman from Alabama [Mr. UNDERWOOD] and the Senator from Wisconsin [Mr. LA FOLLETTE] had agreed on the thing, and the only argument that had convinced them, the only argument that was brought, was the necessity of the case; that they could not put this and that through the Senate; they could not put it up to the President unless the Senator from Wisconsin had his way—and they must put this bill up to the President, having proceeded so far and made this bluff—and then the only acknowledgment that was made in this committee when we did meet was that this was only "an experimental bill," being made with "blacksmith's tools," and all that sort of thing. And when the Senator from Wisconsin challenged the gentleman from Alabama to say what the difference should be in the duties on the different classes of goods, on goods differentiated from clothing, the Senator from Wisconsin said, "Why, I have not and you have not any sufficient information on which to make an intelligent schedule of that kind." "Oh, we will send it up to the President." It only emphasized, Mr. Speaker, from the beginning to the end of that conference the contention made on this side of the House of the necessity for gathering information. It was criminal on the part of these gentlemen to try to guess out a bill affecting over 500,000 people employed in those industries without awaiting the 1st of December until we could get a report of the Tariff Board.

Well, that they have to wait, Mr. Speaker, is my firm belief, and when that message comes to the House the American people will see why they have to wait until the 1st of December, and you will have spent your summer in plotting and counterplotting against the President of the United States in vain, because the people will not indorse any such summary, ignorant, undigested action as you present here through this bill. [Loud applause on the Republican side.]

The SPEAKER. The time of the gentleman from New York has expired. The gentleman from Alabama has six minutes remaining.

Mr. UNDERWOOD. Mr. Speaker, the gentleman from New York [Mr. PAYNE] says that we accomplish nothing by the reduction on blankets. The rate in this bill on cloths and women's dress goods and other like articles is fixed at 49 per cent. The classification was fixed by the Senate conferees, but the language is the language of the House bill, and when we insisted on a different classification on blankets we finally placed it at 38 per cent, which is 11 per cent lower than the rate placed on dress goods and on women's dress goods and articles of that kind. Now, if the gentleman from New York [Mr. PAYNE] thinks it is no relief to the poor people of this country to have their taxes reduced 11 per cent, why I do not doubt that is the point of view from which he looks at it. He has never in any tariff bill he has every written in the history of this country, or taken part in writing, looked at the question from a standpoint of the people who have to pay the taxes. [Applause on the Democratic side.] The only question that has confronted the gentleman from New York is the protected industries of the United States. [Applause on the Democratic side.] He says that the Senator from Wisconsin and myself "rushed" to an agreement on this bill.

I say that the gentleman from Wisconsin was very generous in his concessions; that he allowed us to write a bill on which the increased taxes to the American people are less than 6 per cent above that we fixed in the House bill. The reason the gentleman from Wisconsin and myself endeavored to settle the differences between the two Houses and bring in a bill here that could be presented to the President of the United States was that we recognized that the greatest monstrosity that had ever been written on the tariff books of this country was the Payne law. [Applause on the Democratic side.] We recognized that when the gentleman from New York, knowing the public sentiment of this country, forced, under a gag rule, through this House Schedule K, when there were scores of men on that side of the House who would have voted against it if they had been given the chance, that he stood for the protected interests of this country and turned the back of his hand to the American people. [Applause on the Democratic side.] And yet the gentleman from New York says that we "rushed" to this agreement in order that we could agree on a bill that would put the President of the United States in a hole. The President of the United States has repudiated the Payne bill. [Applause on the Democratic side.] He has said, not in so many words, but in effect, that Schedule K in the Payne tariff bill was a stench in the nostrils of the American people. [Applause on the Democratic side.] He has said that it should be rewritten, that this monstrosity should be taken from the statute books, and when the Senator from Wisconsin and myself attempted to reconcile the differences between the two Houses and present a bill to the President of the United States to give him a chance to keep his word, his plighted word, to the American people, the leadership on that side of the House scoffs at our effort and hurls back the proposition that the President of the United States can not be relied on to keep the faith. [Loud and continued applause on the Democratic side.] Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The question is on agreeing to the conference report. The gentleman from Alabama demands the yeas and nays on that.

The yeas and nays were ordered.

The question was taken; and there were—yeas 205, nays 90, answered "present" 8, not voting 83, as follows:

YEAS—205.

Adair	Doremus	Jackson	Roddenbery
Adamson	Doughton	Jacoway	Rothermel
Aiken, S. C.	Driscoll, D. A.	Johnson, Ky.	Rouse
Akin, N. Y.	Dupre	Johnson, S. C.	Rubey
Alexander	Edwards	Kent	Rucker, Colo.
Allen	Ellerbe	Kinkaid, Nebr.	Rucker, Mo.
Anderson, Minn.	Esch	Kinkead, N. J.	Russell
Ashbrook	Estopinal	Konop	Sabath
Barnhart	Evans	Kopp	Scully
Bartlett	Faison	Korbly	Shackleford
Bathrick	Ferris	La Follette	Sharp
Beall, Tex.	Fields	Lamb	Sheppard
Bell, Ga.	Finley	Lee, Ga.	Sherwood
Blackmon	Fitzgerald	Lee, Pa.	Sims
Booher	Flood, Va.	Lenroot	Sisson
Borland	Floyd, Ark.	Lewis	Sloan
Brantley	Foster, Ill.	Lindbergh	Small
Brown	Fowler	Littlepage	Smith, N. Y.
Buchanan	Francis	Littleton	Sparkman
Bulkley	Gallagher	Lloyd	Stedman
Burke, Wis.	Garner	Lobeck	Steenerson
Burleson	Garrett	McCoy	Stephens, Cal.
Burnett	George	McDermott	Stephens, Miss.
Byrnes, S. C.	Godwin, N. C.	Macon	Stephens, Tex.
Callaway	Goeke	Madison	Stone
Carlin	Goldfogle	Maguire, Nebr.	Sweet
Carter	Graham	Martin, Colo.	Talbott, Md.
Clark, Fla.	Gray	Mays	Talcott, N. Y.
Claypool	Gregg, Pa.	Miller	Taylor, Ala.
Clayton	Gudger	Moon, Tenn.	Taylor, Colo.
Cline	Hamill	Moore, Tex.	Thayer
Collier	Hamlin	Morrison	Thomas
Connell	Hammond	Morse, Wis.	Townsend
Conry	Hanna	Moss, Ind.	Tribble
Cox, Ind.	Hardwick	Murdock	Turnbull
Cox, Ohio	Hardy	Nelson	Tuttle
Cravens	Harrison, Miss.	Norris	Underhill
Cullop	Haugen	Nye	Underwood
Curley	Hay	O'Shaunessy	Volstead
Daugherty	Heflin	Page	Warburton
Davenport	Helgesen	Pepper	Watkins
Davidson	Helm	Peters	Webb
Davis, Minn.	Henry, Tex.	Post	Whitacre
Davis, W. Va.	Hensley	Pou	White
Dent	Holland	Pujo	Wickliffe
Denver	Houston	Raker	Witherspoon
Dickinson	Howard	Randell, Tex.	Woods, Iowa
Dickson, Miss.	Hubbard	Ransdell, La.	Young, Kans.
Dies	Hughes, Ga.	Rauch	The Speaker
Difenderfer	Hughes, N. J.	Rees	
Dixon, Ind.	Hull	Reilly	
Donohoe	Humphreys, Miss.	Richardson	

NAYS—90.

Barchfeld	Foss	Kennedy	Prouty
Bartholdt	Foster, Vt.	Knowland	Reyburn
Bates	French	Langley	Roberts, Mass.
Bingham	Fuller	Loud	Roberts, Nev.
Bowman	Gardner, Mass.	McCall	Rodenberg
Burke, S. Dak.	Gillett	McKenzie	Slemp
Butler	Good	McKinley	Smith, J. M. C.
Campbell	Green, Iowa	McKinney	Smith, Saml. W.
Cannon	Greene, Mass.	McLaughlin	Speer
Catlin	Hamilton, Mich.	McMorran	Sterling
Cooper	Harris	Madden	Stevens, Minn.
Copley	Hartman	Mann	Switzer
Crago	Hawley	Martin, S. Dak.	Taylor, Ohio
Crumpacker	Hayes	Mondell	Thistlewood
Currier	Heald	Moore, Pa.	Towner
Dalzell	Henry, Conn.	Morgan	Utter
Danforth	Higgins	Olmsted	Wedemeyer
Dodds	Hill	Patton, Pa.	Weeks
Draper	Howland	Payne	Willis
Driscoll, M. E.	Hughes, W. Va.	Pickett	Wilson, Ill.
Dwight	Humphrey, Wash.	Plumley	Young, Mich.
Dyer	Kahn	Pray	
Farr	Kendall	Prince	

ANSWERED "PRESENT"—8.

Covington	Howell	Malby	Needham
Gould	Longworth	Murray	Padgett

NOT VOTING—83.

Ames	Fordney	Lawrence	Redfield
Anderson, Ohio	Fornes	Legare	Riordan
Andrus	Gardner, N. J.	Lever	Robinson
Ansberry	Glass	Levy	Saunders
Anthony	Goodwin, Ark.	Lindsay	Sells
Austin	Gregg, Tex.	Linthicum	Sherley
Ayres	Griest	McCreary	Simmons
Berger	Guernsey	McGillicuddy	Slayden
Boehne	Hamilton, W. Va.	McGuire, Okla.	Smith, Tex.
Bradley	Harrison, N. Y.	McHenry	Stack
Broussard	Hinds	Maher	Stanley
Burgess	Hobson	Matthews	Sulloway
Burke, Pa.	James	Moon, Pa.	Sulzer
Byrns, Tenn.	Jones	Mott	Tilson
Calder	Kindred	Oldfield	Vreeland
Candler	Kitchin	Palmer	Wilder
Cantrill	Konig	Parran	Wilson, N. Y.
Cary	Lafean	Patten, N. Y.	Wilson, Pa.
De Forest	Lafferty	Porter	Wood, N. J.
Fairchild	Langham	Powers	Young, Tex.
Focht	Latta	Rainey	

So the conference report was agreed to.

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he voted in the affirmative.

The Clerk announced the following additional pair:

Until further notice:

Mr. JONES with Mr. MATTHEWS.

Mr. BYRNS of Tennessee. Mr. Speaker, being paired with my colleague, Mr. AUSTIN, I desire to vote "present." If he were present, I would vote "aye."

The SPEAKER. Did the gentleman vote?

Mr. BYRNS of Tennessee. I did not.

The SPEAKER. Was the gentleman in the Hall and listening when his name should have been called?

Mr. BYRNS of Tennessee. I was just in the rear here.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. BYRNS of Tennessee. I wish to vote "present," that is all.

Mr. LAFFERTY. Mr. Speaker, I wish to state that if I had been present at the time my name was called, I would have voted against this bill, but I was called out of the Hall and did not return in time to vote.

The SPEAKER. The gentleman's statement is not in order.

The result of the vote was announced as above recorded.

The announcement of the result was received with applause.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

Mr. RUCKER of Missouri. Mr. Speaker, I desire to present to the House for printing in the RECORD, under the rule, a conference report on the bill (H. R. 2958) popularly known as the publicity bill. (S. Doc. 96.)

The SPEAKER. The gentleman presents for printing in the RECORD under the rule the conference report which he sends up. It will be printed in the RECORD and as a document.

The conference report (No. 147) and statement are as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same, amended to read as follows, viz:

SEC. 2. That section 8, as above amended, and sections 9 and 10 of said act be renumbered as sections 9, 10, and 11, and that a new section be inserted after section 7 of the said original act, to read as follows:

"SEC. 8. The word 'candidate' as used in this section shall include all persons whose names are presented for nomination for Representative or Senator in the Congress of the United States at any primary election or nominating convention, or for indorsement or election at any general or special election held in connection with the nomination or election of a person to fill such office, whether or not such persons are actually nominated, indorsed, or elected.

"Every person who shall be a candidate for nomination at any primary election or nominating convention, or for election at any general or special election, as Representative in the Congress of the United States, shall, not less than 10 nor more than 15 days before the day for holding such primary election or nominating convention, and not less than 10 nor more than 15 days before the day of the general or special election at which candidates for Representatives are to be elected, file with the Clerk of the House of Representatives at Washington, D. C., a full, correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, together with the names of all those to whom any and all such gifts, contributions, payments, or promises were made, for the purpose of procuring his nomination or election.

"Every person who shall be a candidate for nomination at any primary election or nominating convention, or for indorsement at any general or special election, or election by the legislature of any State, as Senator in the Congress of the United States, shall, not less than 10 nor more than 15 days before the day for holding such primary election or nominating convention, and not less than 10 nor more than 15 days before the day of the general or special election at which he is seeking indorsement, and not less than 5 nor more than 10 days before the day upon which the first vote is to be taken in the two houses of the legislature before which he is a candidate for election as Senator, file with the Secretary of the Senate at Washington, D. C., a full, correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, together with the names of all those to whom any and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination or election.

"Every such candidate for nomination at any primary election or nominating convention, or for indorsement or election at any general or special election, or for election by the legislature of any State, shall, within 15 days after such primary election or nominating convention, and within 30 days after any such general or special election, and within 30 days after the day upon which the legislature shall have elected a Senator, file with the Clerk of the House of Representatives or with the Secretary of the Senate, as the case may be, a full, correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, up to, on, and after the day of such primary election, nominating convention, general or special election, or election by the legislature, together with the names of all those to whom any and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination, indorsement, or election.

"Every such candidate shall include therein a statement of every promise or pledge made by him, or by anyone for him with his knowledge and consent or to whom he has given authority to make any such promise or pledge, before the completion of any such primary election or nominating convention or general or special election or election by the legislature, relative to the appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in the county, State, or Nation, or in any political subdivision thereof, or in any private or corporate employment, for the purpose of procuring the support of such person or of any person in his candidacy, and if any such promise or pledge shall have been made the name or names, the address or addresses, and the occupation or occupations, of the person or persons to whom such promise or pledge shall have been made, shall be stated, together with a description of the position relating to

which such promise or pledge has been made. In the event that no such promise or pledge has been made by such candidate, that fact shall be distinctly stated.

"No candidate for Representative in Congress or for Senator of the United States shall promise any office or position to any person, or to use his influence or to give his support to any person for any office or position for the purpose of procuring the support of such person, or of any person, in his candidacy; nor shall any candidate for Senator of the United States give, contribute, expend, use, or promise any money or thing of value to assist in procuring the nomination or election of any particular candidate for the legislature of the State in which he resides, but such candidate may, within the limitations and restrictions and subject to the requirements of this act, contribute to political committees having charge of the disbursement of campaign funds.

"No candidate for Representative in Congress or for Senator of the United States shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised, in procuring his nomination and election, any sum, in the aggregate, in excess of the amount which he may lawfully give, contribute, expend, or promise under the laws of the State in which he resides: *Provided*, That no candidate for Representative in Congress shall give, contribute, expend, use, or promise any sum, in the aggregate, exceeding $5,000 in any campaign for his nomination and election; and no candidate for Senator of the United States shall give, contribute, expend, use, or promise any sum, in the aggregate, exceeding $10,000 in any campaign for his nomination and election: *Provided further*, That money expended by any such candidate to meet and discharge any assessment, fee, or charge made or levied upon candidate by the laws of the State in which he resides, or for his necessary personal expenses, incurred for himself alone, for travel and subsistence, stationery and postage, writing or printing (other than in newspapers), and distributing letters, circulars, and posters, and for telegraph and telephone service, shall not be regarded as an expenditure within the meaning of this section, and shall not be considered any part of the sum herein fixed as the limit of expense and need not be shown in the statements herein required to be filed.

"The statements herein required to be made and filed before the general election, or the election by the legislature at which such candidate seeks election, need not contain items of which publicity is given in a previous statement, but the statement required to be made and filed after said general election or election by the legislature shall, in addition to an itemized statement of all expenses not theretofore given publicity, contain a summary of all preceding statements.

"Any person, not then a candidate for Senator of the United States, who shall have given, contributed, expended, used, or promised any money or thing of value to aid or assist in the nomination or election of any particular member of the legislature of the State in which he resides, shall, if he thereafter becomes a candidate for such office, or if he shall thereafter be elected to such office without becoming a candidate therefor, comply with all of the provisions of this section relating to candidates for such office, so far as the same may be applicable; and the statement herein required to be made, verified, and filed after such election shall contain a full, true, and itemized account of each and every gift, contribution, expenditure, and promise whenever made, in any wise relating to the nomination or election of members of the legislature of said State, or in any wise connected with or pertaining to his nomination and election of which publicity is not given in a previous statement.

"Every statement herein required shall be verified by the oath or affirmation of the candidate, taken before an officer authorized to administer oaths under the laws of the State in which he is a candidate, and shall be sworn to or affirmed by the candidate in the district in which he is a candidate for Representative, or the State in which he is a candidate for Senator in the Congress of the United States: *Provided*, That if at the time of such primary election, nominating convention, general or special election, or election by the State legislature said candidate shall be in attendance upon either House of Congress as a Member thereof, he may at his election verify such statements before any officer authorized to administer oaths in the District of Columbia: *Provided further*, That the depositing of any such statement in a regular post office, directed to the Clerk of the House of Representatives or to the Secretary of the Senate, as the case may be, duly stamped and registered within the time required herein shall be deemed a sufficient filing of any such statement under any of the provisions of this act.

"This act shall not be construed to annul or vitiate the laws of any State, not directly in conflict herewith, relating to the nomination or election of candidates for the offices herein named, or to exempt any such candidate from complying with such State laws."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate amending the title of the bill and agree to the same with an amendment, so that the title as amended will read as follows, viz: "An act to amend an act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected' and extending the same to candidates for nomination and election to the offices of Representative and Senator in the Congress of the United States and limiting the amount of campaign expenses."

And the Senate agree to the same.

W. W. RUCKER,
M. F. CONRY,
M. E. OLMSTED,
Managers on the part of the House.

WILLIAM P. DILLINGHAM,
ROBERT J. GAMBLE,
JOS. F. JOHNSTON,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2958) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected" submit the following written statement in explanation of the action agreed upon and recommended in the accompanying conference report:

The first two lines of H. R. 2958 as it passed the House reads: "That sections 5 and 6 of an act entitled 'An act providing for publicity of contributions made,' etc."

Senate amendment No. 1 strikes out "and" after the word "five," and Senate amendment No. 2 inserts "and eight" after the word "six," in the language above quoted. These amendments are made necessary by reason of the fact that the bill as it passed the House only amended sections 5 and 6 of the publicity act, while Senate amendment No. 4 amends section 8 of said act also. These two amendments make the first two lines of the bill read: "That sections 5, 6, and 8 of an act entitled 'An act providing for publicity of contributions made,' etc."

The House recedes from its disagreement to Senate amendments Nos. 1 and 2 and agrees to the same.

Senate amendment No. 3 strikes out "third" in line 5, page 2, of the bill and inserts "sixth," the effect of this amendment being to require committees operating in two or more States to file a supplemental statement of receipts and disbursements every sixth day after the first preelection statement instead of every third day, as provided in the bill as it passed the House. The House recedes from its disagreement to Senate amendment No. 3 and agrees to the same.

Senate amendment No. 4 amends section 8 of the publicity act. Section 8 of existing law provides that certain persons, not candidates, may incur "all personal expenses for his traveling and for purposes incidental to traveling, for stationery and postage, and for telegraph and telephone service without being subject to the provisions of this act."

Senate amendment No. 4 is really a substitute for the present section 8 of the law. It inserts "necessary" before the words "personal expenses" and omits the phrase "and for purposes incidental to traveling" after the words "expenses for his traveling."

The House recedes from its disagreement to Senate amendment No. 4 and agrees to same.

Senate amendments Nos. 5 and 6 constitute a new section to the publicity act, to be known as section 8 of said act.

These amendments require publicity of campaign contributions and expenditures by all candidates for nomination and election to the offices of Representative and Senator in the Congress of the United States, before and after nomination and election, and applies to nominations at primary elections or nominating conventions, and to indorsements or nominations or elections at general or special elections and to elections by legislatures.

The conferees agreed upon many minor amendments to Senate amendment No. 5, including the merging of the substance of Senate amendment No. 6 into said amendment No. 5.

The conferees also agreed upon an amendment to Senate amendment No. 5 exempting certain necessary personal expenses from the provisions of the new section to said act, including charges or fees imposed upon candidates by the law,

expenses of travel and subsistence, stationery and postage, writing or printing and distributing letters, circulars and posters, and for telegraph and telephone service.

As agreed upon and recommended by the conferees the Senate amendment No. 5 is in form a substitute for the original Senate amendment. It proposes a new section, to be known as section 8 (Senate amendment No. 5) of the publicity act, which will read as follows:

"SEC. 8. The word 'candidate' as used in this section shall include all persons whose names are presented for nomination for Representative or Senator in the Congress of the United States at any primary election or nominating convention, or for indorsement or election at any general or special election held in connection with the nomination or election of a person to fill such office, whether or not such persons are actually nominated, indorsed, or elected.

"Every person who shall be a candidate for nomination at any primary election or nominating convention, or for election at any general or special election, as Representative in the Congress of the United States, shall, not less than 10 nor more than 15 days before the day for holding such primary election or nominating convention, and not less than 10 nor more than 15 days before the day of the general or special election at which candidates for Representative are to be elected, file with the Clerk of the House of Representatives at Washington, D. C., a full, correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, together with the names of all those to whom any and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination or election.

"Every person who shall be a candidate for nomination at any primary election or nominating convention, or for indorsement at any general or special election, or election by the legislature of any State, as Senator in the Congress of the United States, shall, not less than 10 nor more than 15 days before the day for holding such primary election or nominating convention, and not less than 10 nor more than 15 days before the day of the general or special election at which he is seeking indorsement, and not less than 5 nor more than 10 days before the day upon which the first vote is to be taken in the two houses of the legislature before which he is a candidate for election as Senator, file with the Secretary of the Senate at Washington, D. C., a full, correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, together with the names of all those to whom any and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination or election.

"Every such candidate for nomination at any primary election or nominating convention, or for indorsement or election at any general or special election, or for election by the legislature of any State, shall, within 15 days after such primary election or nominating convention, and within 30 days after any such general or special election, and within 30 days after the day upon which the legislature shall have elected a Senator, file with the Clerk of the House of Representatives or with the Secretary of the Senate, as the case may be, a full, correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, up to, on, and after the day of such primary election, nominating convention, general or special election, or election by the legislature, together with the names of all those to whom any and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination, indorsement, or election.

"Every such candidate shall include therein a statement of every promise or pledge made by him, or by anyone for him, with his knowledge and consent or to whom he has given authority to make any such promise or pledge, before the completion of any such primary election or nominating convention or general or special election or election by the legislature, relative to the appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in the county, State, or Nation, or in any political subdivision thereof, or in any private or corporate employment, for the purpose of procuring the support of such person or of any person in his candidacy, and if any such promise or pledge shall have been made, the name or names, the address or addresses, and the occupation or occupations of the person or persons to whom such promise or pledge shall have been made, shall be stated, together with a description of the position relating to which such promise or pledge has been made. In the event that no such promise or pledge has been made by such candidate, that fact shall be distinctly stated.

"No candidate for Representative in Congress or for Senator of the United States shall promise any office or position to any person, or to use his influence or to give his support to any person for any office or position for the purpose of procuring the support of such person, or of any person, in his candidacy; nor shall any candidate for Senator of the United States give, contribute, expend, use, or promise any money or thing of value to assist in procuring the nomination or election of any particular candidate for the legislature of the State in which he resides, but such candidate may, within the limitations and restrictions and subject to the requirements of this act, contribute to political committees having charge of the disbursement of campaign funds.

"No candidate for Representative in Congress or for Senator of the United States shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised, in procuring his nomination and election any sum, in the aggregate, in excess of the amount which he may lawfully give, contribute, expend, or promise under the laws of the State in which he resides: *Provided*, That no candidate for Representative in Congress shall give, contribute, expend, use, or promise any sum, in the aggregate, exceeding five thousand dollars in any campaign for his nomination and election; and no candidate for Senator of the United States shall give, contribute, expend, use, or promise any sum, in the aggregate, exceeding ten thousand dollars in any campaign for his nomination and election: *Provided further*, That money expended by any such candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or for his necessary personal expenses, incurred for himself alone, for travel and subsistence, stationery and postage, writing or printing (other than in newspapers) and distributing letters, circulars, and posters and for telegraph and telephone service, shall not be regarded as an expenditure within the meaning of this section, and shall not be considered any part of the sum herein fixed as the limit of expense and need not be shown in the statements herein required to be filed.

"The statements herein required to be made and filed before the general election, or the election by the legislature at which such candidate seeks election, need not contain items of which publicity is given in a previous statement, but the statement required to be made and filed after said general election or election by the legislature shall, in addition to an itemized statement of all expenses not theretofore given publicity, contain a summary of all preceding statements.

"Any person, not then a candidate for Senator of the United States, who shall have given, contributed, expended, used, or promised any money or thing of value to aid or assist in the nomination or election of any particular member of the legislature of the State in which he resides shall, if he thereafter becomes a candidate for such office, or if he shall thereafter be elected to such office without becoming a candidate therefor, comply with all of the provisions of this section relating to candidates for such office, so far as the same may be applicable; and the statement herein required to be made, verified, and filed after such election shall contain a full, true, and itemized account of each and every gift, contribution, expenditure, and promise, whenever made, in anywise relating to the nomination or election of members of the legislature of said State, or in anywise connected with or pertaining to his nomination and election of which publicity is not given in a previous statement.

"Every statement herein required shall be verified by the oath or affirmation of the candidate, taken before an officer authorized to administer oaths under the laws of the State in which he is a candidate, and shall be sworn to or affirmed by

the candidate in the district in which he is a candidate for Representative, or the State in which he is a candidate for Senator in the Congress of the United States: *Provided*, That if at the time of such primary election, nominating convention, general or special election, or election by the State legislature said candidate shall be in attendance upon either House of Congress as a Member thereof he may at his election verify such statements before any officer authorized to administer oaths in the District of Columbia: *Provided further*, That the depositing of any such statement in a regular post office, directed to the Clerk of the House of Representatives or to the Secretary of the Senate, as the case may be, duly stamped and registered within the time required herein, shall be deemed a sufficient filing of any such statement under any of the provisions of this act.

"This act shall not be construed to annul or vitiate the laws of any State, not directly in conflict herewith, relating to the nomination or election of candidates for the offices herein named, or to exempt any such candidate from complying with such State laws."

The title is amended so as to read: "An act to amend an act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected' and extending the same to candidates for nomination and election to the offices of Representative and Senator in the Congress of the United States and limiting the amount of campaign expenses."

The Senate recedes from its amendment No. 6, the same as agreed upon having been embodied in amendment No. 5.

It is recommended that the amendment of the Senate changing the title of the act as amended in conference be agreed to.

W. W. RUCKER,
M. F. CONRY,
M. E. OLMSTED,
Managers on the part of the House.

Mr. WATKINS. Mr. Speaker, I desire to reserve all points of order, and ask for a separate vote on each of the amendments——

The SPEAKER. The report is not before the House. It is merely presented for printing, under the rule.

Mr. WATKINS. I desire to reserve all points of order.

DISTRICT OF COLUMBIA BUSINESS.

The SPEAKER. This is District day. If any gentleman has any District of Columbia business, it is in order to present it.

ASSIGNMENT OF SALARIES, ETC., IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 10649) to regulate the assignment of wages, salaries, and earnings in the District of Columbia.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That all assignments of wages, salaries, or earnings made, or to take effect, or to be enforced in the District of Columbia shall be in writing, signed by the person to whom such wages, salaries, or earnings are due, which writing shall contain the correct date of the assignment and the amount assigned and the name, or names, of the person, firm, or corporation owing the wages, salaries, or earnings so assigned; and the assignment of wages, salaries, and earnings not earned at the time the assignment is made shall be null and void.

With the following committee amendments:

Amend by inserting, in line 9, after "-poration" and before the word "owing," the following: "including the Governments of the United States and of the District of Columbia."

Further amend by adding to the last line the following: "*Provided*, That no assignment of a salary or wage by a married man shall be valid unless his wife join him in the assignment thereof."

Mr. FINLEY. Mr. Speaker, I have just obtained a copy of this bill.

Referring to the last committee amendment, which provides—

That no assignment of a salary or wage by a married man shall be valid unless his wife join him in the assignment thereof.

I move to strike out all after the word "valid."

The SPEAKER. The gentleman from South Carolina offers an amendment to the last committee amendment. The Clerk will report it.

The Clerk read as follows:

Amend the last committee amendment by striking out all after the word "valid."

Mr. FINLEY. Mr. Speaker, the purpose of that amendment is to provide that no assignment of a salary or wage by a married man shall be valid.

The trouble with people in the District of Columbia is in the matter of assigning their salaries. When a man is single it makes no particular difference. No one is dependent upon him; but where he has a wife and family, then it is certain that if he wishes to assign his salary it is a mere matter of form to obtain the signature of his wife to an assignment. If it is proposed to accomplish anything by this bill, then you should prohibit a married man from assigning his salary.

Congress has been deluged for many years with demands by Government employees for increases of salary. I believe the foundation of this difficulty lies in the fact that Government employees, and particularly married men, assign their salaries and mortgage their personal property, and pay such high interest that they can not make ends meet. They are charged exorbitant rates of interest and find themselves falling behind, so Congress is overwhelmed with demands for an increase of the salaries of Government employees. What are you going to do about it? My opinion is that if you will wipe out this practice, and reduce interest in the District of Columbia to a fixed legal rate, this demand will no longer exist.

I understand from what I read in the papers that there exists in this city to-day an organization having for its purpose the passage of a retirement bill, and that an ex-Senator from the State of Ohio is at the head of this organization. Its purpose is to obtain from Congress some legislation in the shape of old-age pensions, a civil pension list, so to speak.

One publication that I have seen stated that a fund of $100,000 had been raised to push along this proposed line of legislation. I wish to say to the Members of the House, that if you do not propose to enact legislation like this you should lay heavy hands on these Government employees who assign their salaries—those who fall into the hands of the loan sharks—and unless you do this the time will come when conditions in the District of Columbia will be utterly intolerable. [Applause.]

Mr. SIMS. Mr. Speaker, I want to refer to one matter, and I will be brief.

Mr. MANN. Mr. Speaker, I was going to ask unanimous consent for the gentleman from Missouri, Dr. BARTHOLDT, to have 40 minutes to address the House on the subject of peace.

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to offer an amendment before this bill is concluded.

The SPEAKER. The gentleman from Pennsylvania will have that opportunity. The gentleman from Illinois asks unanimous consent that the gentleman from Missouri [Mr. BARTHOLDT] be permitted to address the House for 40 minutes on the subject of peace. Is there objection?

There was no objection.

ARBITRATION TREATIES.

Mr. BARTHOLDT. Mr. Speaker, constitutionally the House of Representatives is not a part of the treaty-making power, hence it might be said that we have no official concern in the arbitration treaties which are now awaiting the sanction of the Senate. That is true in a technical sense. However, as representatives of the people, I hold we are most vitally interested in propositions which involve the great question of peace or war. Not only are the constituencies which we represent on this floor those of the Members of the other House, but we ourselves are their constituents. Most likely they are entirely willing to hear from us on this great question. There was a time when weighty international problems were decided and settled in the chancelleries here and abroad, especially abroad, without the knowledge of either the people or their representatives, but that time is rapidly passing. To-day the people want to know what is being done to promote their welfare, and nearly all Governments religiously observe the rule of giving them the fullest information. In the matter of the arbitration treaties the President and Secretary of State took the people into their confidence from the very start, and not only was the tentative draft published as soon as it was completed, but the people were advised, through the public press, of every important step taken in the course of the negotiations. In England great mass meetings were held in which the leaders of both the Government and the opposition parties took part and which declared enthusiastically in favor of the principle of a peaceful settlement, by arbitration, of all international controversies. From what I know of the true sentiment of the American people on this subject, they would have spoken out just as emphatically, only on a still larger scale, but for some inexplicable reason these public demonstrations were discouraged by some private citizens and influential friends of the cause. But in view of the publicity which our Government has given to this matter, the statement that there has been no opportunity for consultation about it is far from the truth and appears rather as a pretext for opposition.

I shall not now undertake to point out the great and lasting benefits of treaties which will secure, by judicial decision and law, the people's peace against the arbitrary will of rulers on the one hand and the passions of the mob on the other, nor is it necessary to extoll the example of lofty statesmanship which

the three treaty-making powers hold up to the rest of the world for emulation.

I am sure there is to be found nowhere, not even in barracks and navy yards, a lack of appreciation or a lack of patriotic pride on account of the American initiative. If there were, as American citizens we would have reason to be ashamed of it.

My purpose to-day is to refer briefly to the various objections interposed against the treaties. As this subject has been discussed for half a century, the friends of arbitration were prepared for them and are able to meet them. If somehow I could bring the opposition together into some sort of a body, I would, figuratively speaking, cut off the head and the limbs and throw the trunk away. Not one of the arguments advanced against ratification, whether based on selfishness and prejudice or inspired by honest and conscientious scruples, is tenable in the face of the public weal and the sum total of human happiness which these international agreements will vouchsafe. Or shall we seriously listen to those who, like the big-stick philosopher of Oyster Bay, insist on the perpetuation of war or to those who for business or professional reasons want us to leave the door open for fight and bloodshed? Shall the capitalist who builds our battleships and the militarist whose profession is war be called in to decide the pending questions for us, or shall we rather be guided by considerations of "the greatest good for the greatest number"? But there is still another element of opposition. Some of our Irish friends are opposed to the treaty with Great Britain for reasons which need no explanation. To the credit of that sturdy element of our citizenship be it said that the great majority did not approve and could not be induced to join demonstrations which meant the obstruction of a great *American policy* by a European heritage. And there is good ground for hope that the concession of home rule to Ireland by a liberal British Government will soon reconcile whatever opposition manifests itself from that quarter.

I might interject here, it has been stated in the public prints that even our German-American citizens were opposed to these arbitration treaties. I stand here to refute that statement. The few that have been lead astray are simply the exception which proves the rule. The great National German-American Alliance, counting 2,000,000 citizens of this country as its members, have sent an appeal to the people of Germany asking them to induce their Government to join the league of peace by negotiating, the same as Great Britain and France have done, an arbitration treaty with the United States. I think that fact disposes of every doubt as to where the German-Americans stand on this great question. [Applause.]

A few days ago the country was given a genuine surprise by the action of a labor union in this city protesting against the arbitration treaties. I say a surprise, because it is well known that labor all over the world is more or less actively enlisted in the cause of arbitration and peace for the simple reason that labor has to bear the scars and pay the freight of every war. [Applause.] How the intelligent workers everywhere must have wondered at this peculiar attitude of their Washington comrades! Is it possible that because there is a navy yard here the employees have taken such a stand from fear that through the President's peace policy they will lose their bread and butter? Surely there is no cause for alarm on that score. A reduction of armaments is sure to follow the general adoption of arbitration, because the iron law of nature stipulates that what is no longer needed will eventually cease to exist, but it is hardly probable for the present generation to derive the full benefit of such a happy eventuality. The main reason assigned for the action just referred to is that our country would soon be overrun by cheap Japanese labor, which, after the adoption of arbitration with Japan, could no longer be kept out. This objection is based on false premises, of course, but as many other good people, especially on the Pacific coast, have been misled by it, it merits special mention.

I frankly admit that it might have been preferable to prefix a preamble to all our arbitration treaties, past as well as present, by which the high contracting parties mutually guarantee to each other, first, their independence; secondly, territorial integrity; and, thirdly, absolute sovereignty in domestic affairs. The older Members of the House will remember that I have advocated this precaution on several occasion on this floor. It would at once silence a number of fears and clear the deck for a better understanding. The reason why this preamble was not inserted in the present treaties is probably because there is absolutely no danger of the questions of independence and territorial integrity ever being raised as between the United States on the one hand and Great Britain and France on the other. And as to sovereignty in home affairs, that is already a well-recognized principle of international law. In other words, in accordance with well-established international rule, no nation can interfere with another in questions of internal policy, hence the United States has a perfect right to regulate the immigration question to suit ourselves. In accordance with this right we exclude the Chinese without a treaty and Japanese laborers in pursuance of one.

And the special treaty we have with Japan on this subject would, of course, not be superseded by any arbitration treaty into which the United States and Japan might enter hereafter. The question of the interpretation of a treaty might, of course, become the subject of arbitration, and let me suggest in this connection that no government, however reluctant in its recognition of the principle of arbitration, has ever objected to its application in the matter of the interpretation of treaties. To sum up the case, no nation can, under the authority of international law, make another nation change its internal policy with regard to any subject, and if it is a matter affecting the interests of the other nation, such as immigration, changes can be brought about only by friendly negotiation and voluntary concession, but can not be demanded as a matter of right. So neither our friends of the Pacific coast nor American labor need have any fear on that score. No international tribunal or commission would ever deny to any nation the right to regulate ad libitum its own domestic affairs, or include within its dicta any decision bearing on a settled and internationally well recognized policy, such, for instance, as the Monroe doctrine.

Now, Mr. Speaker, let me briefly explain the treaties according to my understanding of their letter and spirit. The friends of arbitration have contended from the beginning that after a brief trial of the judicial system of settling international disputes the area of arbitration would soon be enlarged, and that contention has proved true. The treaties now in force expressly exempt from arbitration all so-called questions of vital interest and honor, and thus leave the door wide open for war to be ushered in, because any question, however trivial, might be puffed up, if there be a disposition to fight, to the proportions of one of vital interest or national honor. These exemptions, therefore, rendered arbitration practically futile. The pending treaties exempt nothing and broadly stipulate that all differences "which are justiciable in their nature"—and happily this is the only qualification—shall be submitted to arbitration.

This is a great step in advance on the theory that if arbitration is a good thing in any respect, why not in all respects? If judicial decisions are right nationally, why not also internationally? And have you ever given thought to the contradictory position of a nation which compels its citizens to go to court for the redress of wrongs, forbidding them to take the law in their own hands, but refuses to obey this rule of conduct itself by resorting, or maintaining the right to resort, to violence and war in the prosecution of its alleged rights? To-day, Mr. Speaker, every civilized government is guilty of such duplicity, and no one can measure the extent to which it encourages disrespect of our social order and increases the difficulty of maintaining even our domestic peace, not to mention the fighting spirit of the human animal which is kept alive by what the nations recognize abroad but forbid at home, namely, the application of force. By the new arbitration treaties this contradiction, I may say this immoral contradiction, is wiped out, the application of law and justice is made the general rule, and force is practically outlawed.

Before I speak of the technical objections which, according to public prints, have been raised against certain provisions of the treaties, permit me to point out their next great feature, second in importance only to the first article, which, as I have shown, provides for compulsory arbitration of all differences, and therefore might well bear the headline, "Let us have peace." That feature is the joint high commission of inquiry. Let us hope that the members of the other House, in their eagerness to pick flaws in the Magna Charta of peace agreed upon by three great governments, will leave unchanged the article which provides, in case of any controversy, for an impartial investigation of the facts. In making this provision the contracting governments again take high moral ground. Up to the present day each nation has presumed to be the judge in its own cause, an idea obnoxious to every sense of justice and absolutely intolerable according to the jurisprudence of every civilized country. Yet in international affairs it is the common practice to-day. That an impartial deliberative body, composed of learned jurists of both contending parties, will be a better and safer judge of the facts in a case as well as of what is right and wrong than a single nation whose passion might have been aroused and its judgment blinded by some unfortunate incident of an international nature needs, I believe, no demonstration. So here again is international conduct brought in harmony with national conduct, which compels contending parties to submit their differences to impartial judges to them unknown.

The institution of such commissions has been one of the postulates of the peace movement from its very inception, not alone

for the reason above stated, but because an investigation allows cooling time to elapse, during which the peaceful sentiment of a nation can be marshaled and all the moral forces united for compelling a peaceful settlement of the question at issue. It was one of the provisions of a model arbitration treaty which I have had the honor to draft and to present to the Brussels and the London conferences of the Interparliamentary Union, and I remember well how eloquently at the latter conference a distinguished American delegate, Mr. William Jennings Bryan, advocated its adoption. Honor to whom honor is due. Through Mr. Bryan's support I carried the day at London; and I shall never forget the applause he received when he said:

> Man excited is very different from man calm. [Applause.] When men are mad, they swagger around and say what they can do; when they are calm, they consider what they ought to do. [Applause.] The investigation gives time for the claims of conscience and reason to assert themselves.

At that time, Mr. Speaker, we were confronted by a difficulty which has a direct bearing upon the present situation. The arbitration treaties submitted by President Roosevelt to the Senate had come to naught because the Senate had changed them and insisted on being consulted in each particular case. This stickling for a prerogative proved a great obstacle to the further progress of the arbitration movement, for every student of this question knows that arbitration, in order to be effective or even to be made possible, must be resorted to without delay; that is, before the passions of the people are aroused. To refer an international dispute to a legislative body for discussion will surely add fuel to the excitement and passion of the populace, and will thus tend to render a question which might easily be arbitrated incapable of such peaceable adjudication. It was for this reason that the draft of an arbitration treaty I have just referred to specified all the several questions to be arbitrated, and we were in hopes that, if the nations at The Hague would agree to it, the Senate by its ratification would confer wholesale authority upon the Executive to enter into arbitration agreements in all the cases specified in the treaty. The same authority is impliedly to be conferred on the Executive in the pending treaties, and on this point I wish to make some special observations.

Each nation is jealous of its sovereignty, and with European rulers particularly this is sacred ground. Yet every international agreement means a surrender of part of that sovereignty, because to the extent of the terms of such an agreement the sovereign power is circumscribed. You may well imagine that this fact has proved a great obstacle, especially in Europe, to the progress of arbitration, for if the American Senate is solicitous as to its prerogatives, European monarchs are much more so with regard to their sovereign power.

Mr. DONOHOE. Will the gentleman yield?

Mr. BARTHOLDT. I will yield to the gentleman.

Mr. DONOHOE. Does the gentleman believe that the Peace Trust would make for human freedom?

Mr. BARTHOLDT. That is not exactly in line with where I was in my speech, but I shall be glad to discuss the question with the gentleman at the end of my remarks.

Mr. JACKSON. Will the gentleman yield?

Mr. BARTHOLDT. Yes.

Mr. JACKSON. I understand that the gentleman is now arguing that the power of deciding what shall be the subject of war shall be conferred on some foreign court.

Mr. BARTHOLDT. Oh, not at all. Under the pending treaties we agree to submit to arbitration every question, but before we resort to arbitration article 2 provides that a high joint commission may be appointed, to be constituted of three members of the one contending country and three members of the other contending country, and these six men shall form a joint high commission to determine the facts in the case, and also the question whether the controversy shall be submitted to arbitration or not. It is further provided that if five of these men agree that the question is arbitrable, it shall be submitted to arbitration.

Mr. JACKSON. Does not the gentleman think that that in a way takes away the power of Congress to declare war, which is a constitutional right?

Mr. BARTHOLDT. No; I think not. For one I would gladly, if conditions of the world were such as to justify it, waive the right to declare war.

Mr. JACKSON. Is it within the power of Congress to do that?

Only the people can amend the Constitution. Let me trouble the gentleman with a concrete illustration along the line of what he has been arguing. Suppose that Japan should accept the President's invitation and become a member, and the labor question should become an international question. Would not it be within the power of this commission to take out of the hands of Congress the jurisdiction and power to settle that labor question?

Mr. BARTHOLDT. No. If the gentleman had done me the honor to listen to my remarks he would have heard me say that under a well-established rule of international law no policy—and what the gentleman refers to is a policy—of any government or any people can ever be subject to arbitration, because it is a nation's internal affair. A policy can never be arbitrated.

Mr. CRUMPACKER. Mr. Speaker, will the gentleman allow me one suggestion? The treaty embraces only justiciable questions. The admission of immigrants is not a justiciable question; it is a political question, and the joint high commission are to determine what are not and what are questions of a justiciable character and what may be of a political character, and political questions are not embraced in the treaty.

Mr. JACKSON. That is just what we are talking about. Who settles that question?

Mr. BARTHOLDT. Mr. Speaker, I did not take the floor to listen to what my friend may have to say, but to say what I have to say.

Mr. JACKSON. I desire only to complete the sentence.

Mr. BARTHOLDT. Mr. Speaker, I must decline to yield at this time. If I have some time left at the conclusion of my remarks then I will be very glad to yield.

When interrupted I was speaking of the jealous regard European rulers have for their sovereignty. Yet the great cause of the world's peace has wrung concession after concession from them, and the great and holy purpose to be subserved will, let us hope, also induce our Senate to subordinate technicalities to the common good of the human family. Certain it is, Mr. Speaker, that you can not eat the cake and have it, too. In other words, we can not enter into international agreements and at the same time maintain intact in every respect what is called sovereign power or senatorial prerogative. As the individual surrenders natural rights in order to live in a community of individuals, so a nation must sacrifice part of its sovereignty in order to meet the obligations imposed by agreements with the family of nations. And remember that it is a sacrifice solely in the interest of the common welfare, in behalf of the greatest boon of all the nations—their peace. Besides, Mr. Speaker, a close study of the new treaties will disclose the fact that the prerogatives of the Senate have been as carefully guarded as they were in the old, because where actual arbitration is resorted to the special agreement in each case is subject to the "advice and consent of the Senate," and it is only where an investigation through a commission is provided that the Executive asks the Senate to confer upon it wholesale authority to so refer a question for investigation.

Mr. HAMILL. Mr. Speaker, will the gentleman yield at this point? My question is very pertinent to this subject.

Mr. BARTHOLDT. Very well, I will yield to the gentleman.

Mr. HAMILL. Is it not a fact that these treaties in the section which has been stricken out by the Senate committee divests the Senate of its constitutional power of saying what questions shall be arbitrable and what not?

Mr. BARTHOLDT. Mr. Speaker I thought I had answered that question in what I have stated here this afternoon.

Mr. HAMILL. I beg the gentleman's pardon.

Mr. BARTHOLDT. I said there are two reasons why the Senate should consent to this sacrifice. The first is that no nation should hereafter insist on being the judge in its own cause; that every nation, if its cause is just, should be willing to submit to the judgment of an unbiased, impartial tribunal, or a commission representing it and the other contending party. [Applause.] That is one reason.

Mr. HAMILL. Yes; and now, Mr. Speaker, does not that divest the United States Senate of the power conferred upon it by the Constitution, and thus by treaty alter the Constitution of the United States?

Mr. BARTHOLDT. I have just stated that in order to secure peace in this world we will have to divest ourselves of something. The individual divests himself of certain natural rights for the purpose of living in a community of nations, and a nation must divest itself of certain inherent rights, to the extent of the terms of the treaty or the agreements which may be entered into with other nations. We will come to that conception of things sooner or later whether or no. The evolution has been that way, and neither the prerogatives of the Senate nor the sovereignty of European rulers can stop it. [Applause.]

Mr. HAMILL. Would the gentleman agree to arbitrate questions arising under the Monroe doctrine?

Mr. BARTHOLDT. I have referred to that, and the gentleman has not heard me. Now, let me continue. I stated that a reservation is made in case of special agreements, and the advice and consent of the Senate must be obtained before the President can refer any case to arbitration; and this reservation in regard to the Senate, which our Government had to

make under the Constitution, explains, by the way, why in the British treaty the government of the self-governing dominion whose interests are affected is to be consulted and why in the French treaty it is stipulated that the agreement shall be "subject to the procedure required by the constitutional laws of France." These reservations, in other words, are made to place the high contracting parties on an equality. What the consent of the American Senate is to Great Britain and France is the consent of the British dominion that may be affected on the compliance with the constitutional laws of France to us.

In the short time allotted to me I could touch only very slightly the arguments in favor of the position which our great President and the Secretary of State have taken on this all-important question, but if the House will grant me the time, I shall come back to this subject on some future occasion.

I hold, Mr. Speaker, that the signing of these arbitration treaties marks a new era in the history of the world, which will come to regard brutal war as a nightmare of bygone days. It is the greatest step in advance made since the abolition of human slavery in the direction of a higher and better civilization. [Applause.] As an American I am proud of the fact that an American President has taken the initiative in the great movement for more permanent peace, namely, a peace based on law, not on force, a movement which will eventually result in relieving the human family of intolerable burdens and free the civilized world from the physical and moral damage of war. If President Taft succeeds in his world-redeeming policy, he will rank with Abraham Lincoln for having stopped man killing as the great martyr President stopped man selling. [Applause.]

The SPEAKER pro tempore (Mr. CONRY). The time of the gentleman has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the gentleman be allowed to proceed for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BARTHOLDT. Mr. Speaker, if it was customary in such matters to do so, I would submit a resolution to the consideration of the House, reading as follows:

Resolved, That the House of Representatives approve the pending arbitration treaties between the United States and Great Britain and France as instruments to lessen the possibilities and to promote the cause of more permanent peace; and further

Resolved, That as the direct representatives of the people we call upon the Senate of the United States to ratify these treaties without change and without further delay.

[Applause.]

Mr. Speaker, I shall be very glad now to yield to anyone who desires to ask me any question.

Mr. MORSE of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BARTHOLDT. Certainly.

Mr. MORSE of Wisconsin. Mr. Speaker, I would like to have the gentleman from Missouri explain a little more clearly to me why the Monroe doctrine could not be considered under this arbitration treaty.

Mr. BARTHOLDT. To answer my friend's question I am afraid I shall have to repeat myself. I stated that the Monroe doctrine is a policy of this Government. It is true that it affects other nations, but as soon as the other nations are willing and ready to recognize that policy, then it seems to me that policy is safe. We have evidence that not only Great Britain but nearly all the other great nations of Europe have given their silent consent to that policy of the Monroe doctrine, and consequently as a policy that matter will never be subject to arbitration. Let me add right here for the information of some gentlemen who may not have paid attention to this matter. The Monroe doctrine is not nearly as important to-day as it was even 10 years ago for the simple reason that at The Hague conference it was determined—all nations agreeing in that determination and it is now a part of the international law of the world—that contractual debts could no longer be collected by force in either Central or South America. That takes out of the Western Hemisphere nearly every element of friction which has heretofore caused trouble, and therefore, I say, the Monroe doctrine is to-day not as important as it was, and the European powers are ready to recognize it. [Applause.]

The SPEAKER. The time of the gentleman from Missouri has again expired.

Mr. HAMILL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from New Jersey rise?

Mr. HAMILL. To ask that the time of my friend, the previous speaker, be extended for a sufficient time to answer a brief question.

Mr. GUDGER. I object.

The SPEAKER. The gentleman from Kentucky is recognized to resume the consideration of the pending bill. The question when the gentleman from Missouri began his speech was on the adoption of an amendment of the gentleman from South Carolina, and the Chair understands the gentleman from Kentucky yielded to the gentleman from Missouri.

ASSIGNMENT OF SALARIES, ETC., IN THE DISTRICT OF COLUMBIA.

Mr. BORLAND. Mr. Speaker, the bill which is before the House is H. R. 10649, to regulate the assignment of wages, salaries, and earnings in the District of Columbia. This bill is a copy of an act recently passed by the General Assembly of the State of Missouri. It is intended to obviate or do away with some of the most trying evils relating to the employment of salaried men and wage earners. It is intended to strike a blow, and a very effective and successful blow, at the loan shark. One of the greatest sources of evil in the loan-shark business is the sale of salaries. This salary selling and salary buying is not only an evil to the wage earner himself and a demoralizing influence in his employment, but it is a great evil to the family of the wage earner and frequently to the local merchants of the community. The method usually followed by these salary buyers is to take an assignment in blank of a man's wages with his signature on the bottom, but without any designation of how much he is earning, or where he had been employed, or who his employer is. They take this with the express or tacit understanding that if default is made on the payment of the loan they are to enforce their claim against the man's wages.

It frequently happens that the contract expressly provides that this assignment shall be good until the entire obligation, with all its accrued interest and penalties, are paid. The result is that if a man goes from one employer to another this obligation may follow him, and suddenly the employer may be confronted with an assignment of his wages made some time previously. I have always believed there was considerable doubt about the legality of the assignment of unearned wages. I know it has been held by the courts as to a public officer that the assignment of unearned wages is void, but where the obligation arises under a private contract with a private employer the assignment of unearned wages is valid. It has always seemed to me there should be a distinction between unearned wages generally and wages to be earned where the party is under a present contract of employment out of which the wages will arise. It is certainly true if a man sells his wages——

Mr. FINLEY. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. BORLAND. In a moment I will be glad to yield. If he sells his wages when he is not under contract of employment, but sells some prospective wages he expects to earn in the future, he is doing no more than selling himself into slavery.

And if he has done that thing, if he has sold his wages before they are earned, where are the butcher and the baker and the landlord and the doctor going to get their money for looking after the physical wants of his family?

Now, this bill has two parts to it, and when I have explained it briefly I am going to yield to the gentleman from South Carolina [Mr. FINLEY]. The first part applies to earned wages, which we all concede a man has a property right in. The assignment of those shall be in writing, shall designate the employer, and shall put in the date of the assignment. A man has a property right to a certain extent in the wages he has earned. The pay time of the employer may not have come around, and for various reasons he may have a desire to assign his wages. He has a property right in them, and no great harm can ensue from his selling, under proper regulations, the wages he has earned, especially if the transaction is bona fide by putting in the name of the employer and date of actual assignment.

Now, as to unearned wages, which is the second part of the bill, the bill provides that the assignment of unearned wages shall be void. In other words, it stops this thing of a man selling himself in the future into some indefinite slavery.

Mr. CAMPBELL. Will the gentleman yield on the first proposition for a question?

Mr. BORLAND. I promised to yield to the gentleman from South Carolina, but if it is a brief question, I will yield to the gentleman from Kansas now.

Mr. CAMPBELL. It is a very brief question. Would you permit the assignment of earned wages of the head of a family without the consent of his family? I can see where it would lead under the laws of our State to a good deal of difficulty.

Mr. BORLAND. The committee, with my full approbation, have added a committee amendment to the bill that provides, in the case of a married man, that the sale of his earned wages shall be joined in by his wife. [Applause.] I accept that amendment, and with it I think the bill is perfected.

Now, my friend from South Carolina [Mr. FINLEY] has moved an amendment proposing to abolish the right to sell the wages of a married man. In my judgment, we have a tremendous evil to deal with in the assignment of unearned wages. When we come to earned wages, which a man has a property right in, I believe if we safeguard that by providing the assignment shall be joined in by his wife, we have gone just as far in that direction as we ought to go.

Mr. FINLEY. As to the earned wages, what does the gentleman mean by that? Does he mean wages that have not been paid to him, but that will be paid by the end of the month? I ask the gentleman what he means by earned and unearned wages? If the wages are earned, what is the necessity for an assignment of them?

Mr. BORLAND. If the wages are earned, what is the necessity for an assignment of them? I do not know how large a city the gentleman lives in, but here is the proposition briefly: If the gentleman were employed by a railroad company, whose pay day was the 10th or 15th of the succeeding month, and had earned 20 or 30 days' pay, but the pay day had not come around, he has a property right which under circumstances he desires to dispose of——

Mr. FINLEY. I think I understand the gentleman's definition now. I want to ask this: Is it not true that in the District of Columbia exorbitant rates of interest charges are made for loans on wages, both earned and unearned, under the gentleman's definition of wages earned and unearned? Is not that true?

Mr. BORLAND. I know it is true. I am very certain of it.

Mr. FINLEY. Now, there is no necessity for safeguarding an unmarried man. We agree to that, do we not?

Mr. BORLAND. I do not agree to that. I think the unmarried man may get into demoralizing habits in selling his unearned pay, and demoralize himself and prove a burden to his employer.

Mr. FINLEY. Does not the gentleman think that if the married man was prohibited from assigning his salary or wages in the District of Columbia it would result in a great benefit to a great majority of people in the District?

Mr. BORLAND. I will say to the gentleman that I do not believe that is necessary, for this reason: The man who loans on wages does not loan on the current month's wages, because it stands to reason if the employee could get along on his current month's wages he would not borrow money. If he is getting $50 or $60 or $100 a month he will want to borrow $150 or $200. It is an absolute necessity, you will find, that the loan shark must take security on future wages. He can not accomplish any very great evil or any great oppression by taking security on wages that are earned at the time he takes the security.

Mr. FINLEY. Now, would not this amendment as to married men put an end to that evil?

Mr. BORLAND. Well, I say the evil the gentleman speaks of is——

Mr. FINLEY. I mean the amendment I have offered—would it not put an end to that evil?

Mr. BORLAND. The evil the gentleman speaks of is largely imaginary. There is no special evil in the assignment of earned salaries.

Mr. FINLEY. The gentleman says that my amendment contemplates an imaginary evil. Is not the gentleman mistaken about that when he says the evil is imaginary? Are there not real evils existing here in the city of Washington?

Mr. BORLAND. I have already expressed what I believe in that case, that the loan shark does not do business on assignments of earned wages, but of unearned wages.

Mr. FINLEY. Is there anything in this bill that limits the rate of interest that should be charged?

Mr. BORLAND. That is not in this bill at all.

Mr. FINLEY. What law covers it?

Mr. BORLAND. This bill regulates the assignment of wages, not the rate of interest charged on loans.

Mr. FINLEY. There is no law that covers it, is there?

Mr. BORLAND. I concede that there are a great many evils in this business that ought to be reached, but they are not within the purview of this particular bill.

Mr. FINLEY. To-day is there any law that permits an assignment of wages by an employee of the United States Government? Is that in this bill?

Mr. BORLAND. There is no law on the statute books anywhere that accomplishes or even touches the purposes of this bill. As the law stands now, it has been decided in the District of Columbia that a public officer can not sell unearned pay, but he can sell earned pay, or a private employee can sell both earned and unearned pay.

Mr. FINLEY. Just at that point: Does not this bill by express provision legalize the assignment by an official of the District of his pay where it is not legalized now? Does it not legalize the assignment of his salary or his pay?

Mr. BORLAND. I do not think so.

Mr. FINLEY. I understood the gentleman to make that statement.

Mr. BORLAND. No; the gentleman misunderstands the bill. The law now is that a public officer can not sell unearned pay. This law provides that nobody can sell unearned pay. There is no conflict there. The law now is that a public officer may sell earned pay. This bill says he can do that, but it must be done in writing.

Mr. FINLEY. Does not this bill say "earned or unearned"?

Mr. BORLAND. I wish the gentleman would study the bill a little more closely. Then I could answer him more fully.

Mr. FINLEY. I did read it.

Mr. BORLAND. Now, Mr. Speaker, on the question of the sale of earned salary, the right to sell it, as I believe, is an inviolable right, and I believe a man has just as much a property right in a salary that he has earned, even though the employer has not come to the point of paying it, as he has in his house or in his horse. The only safeguard we ought to throw around the married man in the assignment of his earned salary is that we should require his wife to join him in the assignment. Now, as to unearned salary, if a man commences to sell his unearned salary he goes on selling it, and it not only demoralizes him, but it also demoralizes the service he is in. He is not working for his employer any more, whether it be the District of Columbia or a private employer, but he is working for a loan shark; he is working each month in order to take down his wages to a loan shark. He is not giving the loyalty and fidelity of service he ought to give to his employer. The practice is demoralizing to him. Besides that, his wages are tied up. What does the landlord or landlady do for his board at the end of the month in trying to get it out of him? What does the butcher and the doctor and the other people in the community do when they try to get money from him which is due them? This law has been the most popular, the most universally credited to be a just law that has been passed recently in the State of Missouri.

Now, I desire to yield three minutes to the gentleman from Tennessee [Mr. SIMS].

The SPEAKER. The gentleman has no time to yield. The gentleman from Kentucky [Mr. JOHNSON] can yield.

Mr. BORLAND. Then I will ask the gentleman from Kentucky [Mr. JOHNSON] to yield it.

Mr. JOHNSON of Kentucky. I yielded all my time to the gentleman from Missouri [Mr. BORLAND].

The SPEAKER. The gentleman from Missouri can yield it back.

Mr. BORLAND. I yield back the unexpired time.

Mr. JOHNSON of Kentucky. I yield three minutes to the gentleman from Tennessee.

Mr. SIMS. Mr. Speaker, I have no objection to this bill. I think it is a good measure, and I would not undertake to improve it by amendment without having studied it; but I want to call the attention of the House, and particularly of the District Committee, to what I think is an evil that ought to be remedied by statute. I have heard that there are bureau chiefs or heads of bureaus who borrow money from their subordinates. The standing or efficiency record of these employees is made out by these chiefs, who borrow the money from them. This creates an interest between them which I am sure has had the effect to prevent some men and women from getting as good records as they should have, because they have not had the money to loan, while others more fortunate have had the desired funds.

There is another thing which grows up out of such a practice. The newspapers state that a regular gambling game was run here in one of the bureaus. Now, I am not a gambler and never was, but I have always heard that gambling leads to borrowing, and I do think this matter ought to be remedied by proper legislation.

Mr. FOSTER of Illinois. Does the gentleman say that there is such a condition that the chiefs loan to the subordinates, or the subordinates loan to the chiefs?

Mr. SIMS. I am advised that the chiefs borrow from the subordinates. Of course, the subordinates must loan, or the chiefs could not borrow.

Mr. FOSTER of Illinois. That is a peculiar condition.

Mr. SIMS. And I have heard of cases where the chief wanted to borrow and did not get the money, and had then treated that particular person without the consideration to

which he was entitled. I do not want any committee to investigate this matter, but we can and ought to pass a proper law, without any investigation, to prevent borrowing by one Government employee from another.

Mr. FINLEY. The case cited by the gentleman was substantially a holdup, was it not?

Mr. SIMS. Oh, the gentleman can construe it as well as I can.

Mr. FINLEY. It was a holdup, under the gentleman's statement.

Mr. MADDEN. The gentleman could not stop me from borrowing $5 of him if I could get it, could he?

Mr. SIMS. I do not think it would take a law in a case of that kind, where there would be inability to comply with the request. [Laughter.]

Mr. JACKSON. Does not the civil-service law already cover that point, in providing that no thing of value shall be given for the purpose of obtaining a report?

Mr. SIMS. It is not done in that way. It is not given for that purpose; but where that condition exists, some employees believe they have not received the record standing they should have received, in consequence of having no money to loan.

Mr. JACKSON. It seems to me if the law were properly enforced, those things could be made to appear to be a valuable consideration.

Mr. SIMS. I think that absolute discharge from the service should be the penalty.

Mr. JOHNSON of Kentucky. I yield one minute to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Speaker, all I desire to do is to offer an amendment to this bill. I understand there are some committee amendments pending.

The SPEAKER. To which amendment does the gentleman propose his amendment?

Mr. MOORE of Pennsylvania. I propose to offer an amendment to the bill. I appreciate the courtesy of the gentleman from Kentucky in yielding me time.

The SPEAKER. The Clerk may read the amendment for information.

The Clerk read as follows:

Page 1, line 6, after the word "due," insert "and shall be witnessed by at least two persons."

Mr. MOORE of Pennsylvania. Mr. Speaker, the purpose of this amendment is merely to authenticate the signature of the person making the assignment. The business of borrowing money on salaries and making assignment of wages and salary by clerks of the Government is deplorable, and as many safeguards as possible should be thrown about it. There have been instances in my own knowledge where loans have been made on wages where there has been a dispute as to the signature of the assignor; disputes have arisen between husband and wife, between employer and employee, and it seems to me that in this particular instance, where we propose to safeguard the assignments, we should have at least two witnesses to the signature. That is the purpose of the amendment.

Mr. DYER. Mr. Speaker, I desire to offer an amendment and have it read at this time.

The Clerk read as follows:

Page 2, at the end of line 4, insert: *"Provided further,* That no assignment of salary or wage shall be valid if a usurious rate of interest is charged for the loan in connection with which the assignment is made."

Mr. DYER. Mr. Speaker, this bill is one that is much needed in this city. It is a bill that will give some relief. There are others needed along the line of regulating the loan of money at highly illegal rates of interest. There ought to be a law passed protecting the people against these people who loan money on chattels and furniture at illegal rates of interest, in many instances as high as 10 per cent a month. It is to be hoped, Mr. Speaker, that the amendment I have presented will be adopted. It will in a way protect a great many of the people who make assignment of wages and who now only receive half and less than half their wages, while the balance goes to the people making the loan.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move the previous question on the bill and amendments.

Mr. MANN. I suggest that the gentleman from Kentucky can not move the previous question on the bill and all the amendments that have been read for information unless he asks unanimous consent.

Mr. JOHNSON of Kentucky. I ask unanimous consent.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the previous question be ordered on the bill and the amendments pending. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. I ask for a vote on the first committee amendment.

The SPEAKER. The question is on adopting the first committee amendment.

The question was taken, and the first committee amendment was agreed to.

The SPEAKER. The question now is on the amendment of the gentleman from South Carolina [Mr. FINLEY] to the second committee amendment, which the Clerk will report.

The Clerk read as follows:

Strike out all of line 4 after the word "valid."

The question was taken, and the amendment was lost.

The SPEAKER. The question now is on agreeing to the second committee amendment.

The question was taken, and the second committee amendment was agreed to.

The SPEAKER. The question now is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE], which the Clerk will report.

The Clerk read as follows:

Page 1, line 6, after the word "due," insert "and shall be witnessed by at least two persons."

The question was taken, and the amendment was agreed to.

The SPEAKER. The question now is on the amendment offered by the gentleman from Missouri [Mr. DYER], which the Clerk will report.

The Clerk read as follows:

Page 2, at the end of line 4, add:
"Provided further, That no assignment of salary or wage shall be valid if a usurious rate of interest is charged for the loan in connection with which the assignment is made."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

INSURANCE COMPANIES IN DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 12737) to amend the Code of Law for the District of Columbia regarding insurance.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 646, chapter 18, Code of Law for the District of Columbia, be, and the same is hereby, amended by inserting after the semicolon in line 20 the words "and such other information as said superintendent may require," so as to read:

"SEC. 646. Duties of superintendent, etc.: It shall be the duty of said superintendent to see that all laws of the United States relating to insurance or insurance companies, benefit orders, and associations doing business in the District are faithfully executed; to keep on file in his office copies of the charters, declarations of organization, or articles of incorporation of every insurance company, benefit association, or order, including life, fire, marine, accident, plate-glass, steam-boiler, burglary, cyclone, casualty, live-stock, credit, and maturity companies or associations doing business in the District; and before any such insurance company, association, or order shall be licensed to do business in the District it shall file with said superintendent a copy of its charter, declaration of organization, or articles of incorporation, duly certified in accordance with law by the insurance commissioners or other proper officers of the State, Territory, or nation where such company or association was organized; also a certificate setting forth that it is entitled to transact business and assume risks and issue policies of insurance therein; and if its principal office is located outside the District it shall appoint some suitable person, resident in said District, as its attorney, upon whom legal process may be served; and such other information as said superintendent may require; and the fees for filing with the superintendent such papers as are required by this section shall be $10, to be paid to the collector of taxes, and no other license fee shall be required of such insurance companies or associations except as provided in sections 654 and 655 of this subchapter. Said superintendent shall have power to make such rules and regulations, subject to the general supervision of the commissioners, not inconsistent with law, as to make the conduct of each company in the same line of insurance conform in doing business in the District."

With the following amendments:

Page 2, line 17, after the word "therein" insert "and such other information as said superintendent may require;".

Page 2, line 21, after the word "served" strike out "; and such other information as said superintendent may require," and insert in lieu thereof the following: *"Provided, however,* That should said company or association neglect or refuse to appoint such attorney, or should such attorney absent himself from the District, said legal process may be served upon the superintendent of insurance of the District of Columbia,".

The SPEAKER. Is a separate vote demanded on any amendment? If not, the amendments will be put in gross. The question is on agreeing to the committee amendments.

The question was taken, and the committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the last vote was laid on the table.

COMMODORE BARNEY CIRCLE, DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 5618) to confirm the name of Commodore Barney Circle for the circle located at the eastern end of Pennsylvania Avenue SE., in the District of Columbia, and inasmuch as a similar bill has been passed by the Senate I ask unanimous consent to discharge the Committee on the District of Columbia from further consideration of the bill (S. 306) to confirm the name of Commodore Barney Circle for the circle located at the eastern end of Pennsylvania Avenue SE., in the District of Columbia, and to substitute that bill in lieu of the bill H. R. 5618 and that the bill H. R. 5618 do lie on the table.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That from and after the passage of this act the circle located at the eastern end of Pennsylvania Avenue SE., in the District of Columbia, now known as public reservations Nos. 55 and 56, shall be officially known and designated "Commodore Barney Circle."

Mr. JOHNSON of Kentucky. Mr. Speaker, I yield five minutes to the gentleman from California, Mr. KAHN.

Mr. KAHN. Mr. Speaker, the residents of the southeastern section of Washington have asked for this legislation. There is a circle at the eastern end of Pennsylvania Avenue. It is at present unnamed, and, to my mind, it is eminently fitting and proper that it should be officially designated "Commodore Barney Circle." During the War of 1812 a powerful British fleet came into Chesapeake Bay and forced the few American vessels under command of Commodore Joshua Barney, that were protecting Washington, into the Patuxent River. This occurred in August, 1814. The British vessels were very much larger than the American ships, and they practically bottled up the American fleet in that stream. About August 21 the British troops, under command of Gen. Ross, of the British Army, and Admiral Cockburn, of the British Navy, disembarked at a point called Benedicts and started on their march to capture the city of Washington. Commodore Barney, who was in command of the American flotilla, hearing of this movement, immediately disembarked his men and hastened toward Washington to protect the city. They took possession of this very circle and pointed their guns toward the other side of the old bridge across the Eastern Branch, at the foot of Pennsylvania Avenue SE., from which direction they expected the British to approach. President Madison and members of his Cabinet went to the point where the American sailors and marines were stationed and had a conference with them. While this conference was in progress word came that the British had marched toward Bladensburg, whereupon Commodore Barney immediately asked permission to march his forces to that point. Permission having been granted, he started to meet the British, and came up with the American militiamen just at the boundary line between Maryland and the District of Columbia. Here he placed his forces in battle array.

Mr. MADDEN. Mr. Speaker, will the gentleman yield for a question?

Mr. KAHN. Certainly.

Mr. MADDEN. Is it the purpose, following the passage of this bill, to follow it with another asking for an appropriation for a statue?

Mr. KAHN. I have no knowledge of such intent. It seems that after Commodore Barney had taken his position on the field of battle most of the Maryland militiamen ran away without having fired a single shot. The battle was ironically called the "Bladensburg Races." Both British and American authorities assert that if the soldiers had fought as well as the sailors and marines under Commodore Barney, the chances are that the city of Washington would not have been burned. As it was, Commodore Barney held the British in check for some little time. His cannon played havoc among the enemy, of whom 500 were either killed or wounded. The commodore only had about 500 in his entire command. He himself had his horse killed under him, and then was severely wounded in the thigh and was taken prisoner on the field of battle. The bullet could not be extracted, and it is believed that the wound he received resulted in his ultimate death four years later.

Mr. MANN. Will the gentleman yield for a question?

Mr. KAHN. Certainly.

Mr. MANN. Where is this circle?

Mr. KAHN. At the eastern end of Pennsylvania Avenue, in southeast Washington.

Mr. MANN. Is there anything on it now?

Mr. KAHN. Nothing whatever.

Mr. MANN. No statue of Commodore Barney?

Mr. KAHN. Nothing whatever; not even the old earthworks that he erected when he planted his cannon there to keep the British out of Washington.

Mr. MANN. Does not the gentleman think this bill should be brought under that rule requiring all bills making a charge upon the Treasury to be considered in the Committee of the Whole?

Mr. KAHN. I do not think that this makes a charge upon the Treasury.

Mr. MANN. Well, I shall do my best to prevent it from being a charge on the Treasury, but, after all, I have no doubt it will.

Mr. KAHN. The citizens of southeast Washington have not expressed any desire to have a statue there.

Mr. MANN. It shows they are very smooth.

Mr. KAHN. The gentleman has been here longer than I; he has perhaps known them better than I.

Mr. MADDEN. Perhaps they have not taken the gentleman from California into their confidence yet. The gentleman from Pennsylvania, however, understands it.

Mr. KAHN. Mr. Speaker, it is narrated that when Gen. Ross and Admiral Cockburn came up with the doughty commodore and learned his rank and station, the former exclaimed, "I am very glad to meet you." Whereupon Barney promptly rejoined, "I am not at all glad to meet you, sir." He was promptly paroled, after having had his wound dressed by a British surgeon, and personally agreed to see that the officers and men of the British forces who were wounded in the battle should be properly exchanged when they were reported ready for duty. The corporation of the city of Washington presented Commodore Barney with a sword as a testimonial of the high sense they entertained of his distinguished gallantry and good conduct at the Battle of Bladensburg. The States of Pennsylvania, Georgia, and Kentucky also adopted resolutions by their respective legislatures commending the splendid services of this hero of Bladensburg.

Commodore Barney had also taken an active part in the Revolutionary War. He participated in a large number of naval actions during the struggle for independence, and as captain of the *George Washington* was sent on a number of hazardous expeditions for the Colonies by order of the Superintendent of Finance, Robert Morris, who placed the utmost confidence in the bravery and the ability of the young naval officer. Barney invariably executed his orders with skill and dispatch, and won the esteem and admiration of the leaders of the Revolution.

After the War of 1812 he determined to settle on a tract of land he had acquired in Hardin County, Ky., in 1794. With his wife and her sister he visited his property in 1816, and spent nearly a year on his new estate. Returning to Baltimore he proceeded to wind up his business affairs in that city, and in October, 1818, started with all his family for the new home. He was taken ill at Brownsville, Pa., but managed to proceed as far as Pittsburgh. Here, on the night of November 30, 1818, he was taken with a violent spasm, and on the following morning a second spasm occurred, during which he suddenly expired. It is eminently proper that this bill to give his name to the circle at the eastern end of Pennsylvania Avenue should pass. [Applause.]

The Senate bill was ordered to be read a third time, was read the third time, and passed.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2932. An act to authorize the Secretary of the Treasury, in his discretion, to sell the old post-office and courthouse building at Charleston, W. Va., and, in the event of such sale, to enter into a contract for the construction of a suitable post-office and courthouse building at Charleston, W. Va., without additional cost to the Government of the United States; and

S. 3152. An act extending the time of payment to certain homesteaders in the Rosebud Indian Reservation, in the State of South Dakota.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 6747. An act to reenact an act authorizing the construction of a bridge across St. Croix River, and to extend the time for commencing and completing the said structure; and

H. R. 11303. An act for the relief of Eliza Choteau Roscamp.

The message also announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 7.

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to transmit in the name and on behalf of the city of Key West, Fla., to all foreign nations an invitation to visit that city and participate in the celebration of the completion of the Florida East Coast Railway Co.'s line connecting the mainland of the United States with the said island city of Key West, both by their official representatives and citizens generally, and particularly to invite such foreign countries to send such of their respective naval vessels as may be practicable and convenient to participate in such celebration so to be held, beginning on the 2d day of January, A. D. 1912: *Provided*, That before the extending of said invitations the President shall be satisfied that suitable provisions have been made by said city for the entertainment of the parties or representatives of such Governments or countries so invited.

Resolved further, That the President be, and he is hereby, requested to direct such portion of the Army and Navy of the United States as may be convenient and practicable to be present at Key West at the time of such proposed celebration and participate therein.

Resolved further, That under no circumstances is the United States to assume, be subject to, or charged with any expense of any character whatsoever in or about or connected with such proposed celebration.

PRESERVATION OF PUBLIC PEACE AND PROPERTY IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill H. R. 8622.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 8622) to amend section 4 of "An act for the preservation of the public peace and the protection of property within the District of Columbia," approved July 29, 1892, as to kiteflying.

Be it enacted, etc., That section 4 of "An act for the preservation of the public peace and the protection of property within the District of Columbia," be, and the same is hereby, amended to read as follows:

"That it shall not be lawful for any person or persons to set up or fly any *kite*, or set up or fly any fire balloon or parachute in or upon or over any street, avenue, alley, open space, public inclosure, or square within the limits of the District of Columbia, under a penalty of not more than $10 for each and every offense."

The committee amendments were read, as follows:

Amend by striking out the word "set" after the word "to" in line 8, and insert in lieu thereof the word "send."

Further amend said line by striking out the words "any kite, or set up or fly," which words are the sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, and thirteenth words of said line.

Further amend by striking out in lines 9 and 10 the words "or upon or over any street, avenue, alley, or open space, public inclosure, or square within the limits of."

Further amend by inserting after the word "or" at the end of line 8 the word "fire."

Further amend by striking out the word "kiteflying" at the end of the title and by inserting in lieu thereof the following: "as to the flying of fire balloons or fire parachutes."

Mr. CAMPBELL. Mr. Speaker, I understand these amendments, which have been hurriedly read, provide that the law shall only apply to a kite that takes up some fire in connection with it and would not prevent a boy from innocently flying a kite.

Mr. JOHNSON of Kentucky. The bill is left so the boys can fly their kites, but they can not send up fire balloons.

Mr. CAMPBELL. I am for the boy having permission to fly his kite.

Mr. JOHNSON of Kentucky. So am I.

Mr. MANN. I suggest to the gentleman from Kentucky that in the body of the bill he also amend it so as to give the date of the approval of the act. It is in the title, and I suggest that he insert, after the word "Columbia," in line 5, on page 1, the words "approved July 29, 1892."

Mr. JOHNSON of Kentucky. Mr. Speaker, I accept that amendment.

Mr. MANN. It is in the title, but not in the body of the bill.

Mr. JOHNSON of Kentucky. I ask that those words be inserted, Mr. Speaker, after the word "Columbia."

The SPEAKER. The Clerk will report the amendment accepted by the gentleman from Kentucky.

The Clerk read as follows:

Page 1, line 5, after the word "Columbia," insert the words "July 29, 1892."

Mr. DYER. Mr. Speaker, I want to make a suggestion to the gentleman from Kentucky, chairman of the committee, in regard to the title of the bill——

Mr. JOHNSON of Kentucky. There is an amendment to correct the title after the bill is passed.

Mr. DYER. Very well.

The question was taken, and the committee amendments were adopted.

The question was taken, and the amendment to the committee amendment was adopted.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read as follows: "A bill to amend section 4 of 'An act for the preservation of the public peace and the protection of property within the District of Columbia,' approved July 29, 1892, as to the flying of fire balloons or fire parachutes."

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote by which the bill was passed was laid on the table.

ANNUAL STATEMENTS OF INSURANCE COMPANIES IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill S. 1785.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 1785) to amend section 647, chapter 18, Code of Law for the District of Columbia, relating to annual statements of insurance companies.

Be it enacted, etc., That section 647, chapter 18, Code of Law for the District of Columbia, be, and the same is hereby, amended to read as follows:

"SEC. 647. Annual statements: The said superintendent shall furnish, in December of each year, to every insurance company or association, local, domestic, and foreign, doing business in the District of Columbia, or its agent or attorney in the District, the necessary blank forms for the annual statements for such company or association, which shall be returned to the superintendent on or before the 1st day of March in each year, signed and sworn to by the president or vice president and secretary or assistant secretary, or, if a foreign company, by its manager or proper representative within the United States, showing its true financial condition as of the next preceding 31st day of December, which shall include a classified statement of its assets and liabilities on that day, the amount and character of business transacted, losses sustained, and money received and expended during the year, and such other information as the said superintendent may deem necessary. Such annual statements shall be printed in at least one daily newspaper published in the District of Columbia, in the month of March in each year, and any such company or association failing to comply with the provisions aforesaid shall have its license to do business in the District revoked."

Mr. MANN. I see this requires the publication of these statements in the daily newspapers. That is a new proposition. Does the gentleman think that is necessary in the District of Columbia, and is it of any more advantage to publish these statements in a daily newspaper?

Mr. JOHNSON of Kentucky. I think not.

Mr. MANN. It is more likely to be of advantage in some insurance paper, where it could be used. If the gentleman does not object, I would like to offer a motion to strike out the word "daily."

Mr. JOHNSON of Kentucky. I accept the amendment.

Mr. JACKSON. What is the purpose of any publication at all? It does not occur to me that is usual in the States in such laws as this. If a man is interested in an insurance company the statements are filed with the State superintendent or commissioner, and he can go there and inspect them. What is the use of putting them to the expense of publishing these long statements?

Mr. MANN. These statements are ordered published now. It is a mere repetition. I do not know that there is any reason for it.

Mr. JOHNSON of Kentucky. The foreign companies are now required to do this, and the effect of this bill is to put the local companies on the same footing as the foreign companies.

Mr. MANN. That is all. Mr. Speaker, I offer an amendment, on page 2, line 12, by striking out the word "daily."

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 12, strike out the word "daily."

The SPEAKER. The question is on the amendment of the gentleman from Illinois.

Mr. MOORE of Pennsylvania. Mr. Speaker, I would like to say a word in regard to this matter of publication. I am opposed to the amendment in the form in which it is presented. It seems to me a very important matter in the supervision of an insurance company that the public should have notice by advertisement. If you strike out a "daily newspaper," as is proposed by the gentleman from Illinois, you leave it to the discretion of somebody to put it in a paper where it never will be seen, and most of you gentlemen who are lawyers understand full well——

Mr. RAKER. Will the gentleman yield to a question?

Mr. MOORE of Pennsylvania. I will in one moment.

Mr. RAKER. I just wanted to make a suggestion, namely, to insert, after the word "newspaper," the words "general circulation," and you have got the whole thing covered.

Mr. MOORE of Pennsylvania. I do not know why it should not be a daily newspaper. As a matter of fact, there ought to

be two daily newspapers. There are four in the District of Columbia. If the purpose is to have this statement kept from the public, which is interested, then give somebody discretion to put it in the small corner of a monthly or a weekly that is published somewhere in a back street and has no circulation. If you want to protect the public, put it in a newspaper of large circulation, so that the public may see it. The very purpose of this amendment to the insurance law is to give protection to those who go into these companies.

Mr. MANN. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. MANN. I know how very active and industrious the gentleman is. Does the gentleman read thoroughly all of these Washington dailies, and all the advertisements?

Mr. MOORE of Pennsylvania. I read them very carefully, but not all the advertisements.

Mr. MANN. All of the dailies? I wish the gentleman would cease and put his time to better business.

Mr. MOORE of Pennsylvania. I want to say to the gentleman that, unless the entire theory of publication is wrong, the gentleman simply gives recourse to those who would hide information from the public, and affords them an opportunity to do so. I know very well that many of you gentlemen who are members of the bar, sometimes, when you want to give public notice, and have discretion as to the newspapers in which that notice shall be given, when it is desired the defendant shall not see it, go somewhere into a remote district in order to make publication. But when I want the public to know what the condition of an insurance company is I would have that publication in a newspaper that is published daily and which has a large circulation, where the public, that is interested, may have the opportunity to see it. I certainly am not in favor of the gentleman's amendment.

Mr. MADDEN. Which of the four daily newspapers would the gentleman select, then?

Mr. MOORE of Pennsylvania. I would make it two daily papers rather than to make it no daily paper at all. Of course it should not be published in a trade journal. The man who takes out a policy from one of these companies is not supposed to be a subscriber to a trade journal. The man who pays the premium and pays out money for insurance in one of these companies would never know of the condition of the company if the advertisement of the statement of the company went into a trade journal. That journal goes to the trade, but the trade is not always keeping confidence with the innocent policy holder in the city of Washington. I say give them a chance in a newspaper that they read, and then they will have a chance to know if they are in any danger or not.

Mr. KINKEAD of New Jersey. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from New Jersey?

Mr. MOORE of Pennsylvania. I do.

Mr. KINKEAD of New Jersey. Why would not the gentleman from Pennsylvania go a step further and meet the conditions that are brought up in this bill the same as we have met them in New Jersey, where, in addition to saying a "daily newspaper," we say a "daily newspaper having the largest circulation in the district"?

Mr. MOORE of Pennsylvania. The trouble with selecting the paper with the largest circulation is that we would then have the embarrassment of choosing from among the finest lot of affidavits that were ever seen about the relative circulations of the different newspapers. I think the "largest circulation" among newspapers is like the "best cigar." You can get it in every cigar store.

Mr. KINKEAD of New Jersey. If we are going to do it, let us do it right.

Mr. MANN. Will the gentleman yield for a question?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Illinois?

Mr. MOORE of Pennsylvania. I do.

Mr. MANN. The gentleman from New York [Mr. FITZGERALD] makes a suggestion that strikes me very happily, and I want to inquire of the gentleman from Pennsylvania if it strikes him so. The suggestion is, Would the gentleman recommend that these statements be published in the CONGRESSIONAL RECORD, at regular advertising rates? [Laughter.]

Mr. MOORE of Pennsylvania. If that were done, the advertisements would, at least, be seen by Members of Congress.

Mr. JACKSON. Does the gentleman think these statements would be read any more by the public than by the insurance managers?

Mr. MOORE of Pennsylvania. If you are going to ascertain the newspaper having the "largest circulation" you could get affidavits of all kinds, just as you can get opinions about the "best cigar."

Mr. JACKSON. Does not the law require the insurance companies to get permission from the superintendent of insurance before the companies can undertake to do business?

Mr. MOORE of Pennsylvania. This law is largely intended to affect domestic companies that have been doing business here in the District.

Mr. JACKSON. All of these companies must have the certificate from the superintendent before entering into business, must they not?

Mr. MOORE of Pennsylvania. I think so; yes.

Mr. JACKSON. Is he not better informed on the subject than the public?

Mr. MOORE of Pennsylvania. He ought to be informed, but I think it is the duty of the legislative body to protect the public. During the last month a number of so-called mutual insurance companies in my city went to the wall before the innocent subscribers or policy holders knew the actual condition of these companies; and here on the floor the other day the gentleman from Kentucky [Mr. JOHNSON] described a number of companies that are doing business in the District of Columbia concerning which evidently the people paying their money into them knew nothing. I submit, if it is to be a trade secret as to what the condition of the company is, then it would seem we are making a mockery of the pretense of protecting the public. The public ought to be advised through two daily newspapers, at least once a year, of the condition of these companies.

I am quite sure that if an advertisement appearing in any one of the four daily newspapers in Washington were to show that the stocks and bonds of an insurance company were "cats and dogs," some people would make an inquiry and bring the matter to the attention of the superintendent of insurance; and I am quite sure that if publication were made of the fact that poor investments had been made by the officers of these companies, and that the funds paid in by the policy holders were not secured, there would be an inquiry that might stop the wreck and prevent a great loss on the part of those whose money is at stake.

Mr. BOWMAN. This bill provides that the publication must be made in the month of March. Why could not anyone who wanted to know about this business look through the publications of that month? Is there any difficulty about procuring all the publications and securing all the information desired?

Mr. MOORE of Pennsylvania. I do not understand the gentleman's question, but I will repeat what I said.

Mr. BOWMAN. I will repeat it, so that the gentleman can understand it. The bill provides that the publication must be made in the month of March. If all of the libraries in the city of Washington can be supplied with these documents, why put a company to the expense of making an advertisement in a daily newspaper?

Mr. MOORE of Pennsylvania. In order to make it clear to the House and to bring it to the understanding of the gentleman, I will repeat that the bill should provide, just as it does provide, that there should be an annual publication of the condition of these companies by the superintendent of insurance and that the people who do business with these companies should be informed, so that if anything is wrong they will be able to take steps to right it.

I am certainly opposed to the amendment offered by the gentleman from Illinois, and hope the House will defeat it.

Mr. MANN. Mr. Speaker, just a word on the amendment. The law now requires that the local insurance companies incorporated here shall publish these statements in some newspaper. This bill proposes to require the foreign insurance companies, or companies located outside of Washington and doing business here, to make a statement which is rather long and complicated, and to have that published in a daily newspaper. My friend from Pennsylvania [Mr. MOORE] seems to assume that the public will read these statements, and that a man who takes out insurance will study the daily papers to see whether the company that he is insured with is solvent. Everybody knows that is not true. The gentleman from Pennsylvania [Mr. MOORE] does not read the insurance companies' statements. I do not read the insurance companies' statements. The gentleman from Pennsylvania pleads guilty to the offense of reading all the Washington dailies. God forbid that I should ever be guilty of that offense!

The people who read the insurance companies' statements are the insurance agents, the men who are dealing in insurance; and if they find that one company makes a statement that shows it is not solvent, the agents of the other companies will knock that company. They will tell the people who insure that the

company is not in good standing, and they will do it quickly enough.

Mr. JOHNSON of Kentucky. As the law now stands, under an opinion rendered in 1908, only foreign companies are required to publish these statements. The local companies are not required to publish them.

Mr. FOSTER of Illinois. That is all the difference.

Mr. JOHNSON of Kentucky. That is all the difference. The local companies are not now required to publish, and this bill proposes to require them to do so.

Mr. FOSTER of Illinois. The local companies are not required to publish. This makes it apply to local companies as well as foreign.

Mr. MANN. I think the gentleman is mistaken about that.

Mr. FOSTER of Illinois. No; here is the law.

Mr. MANN. I have examined the law. The gentleman may be correct. It is not important. I think the present law applies to local companies, and that this law is intended to apply to every insurance company, local, domestic, or foreign. The language in this bill "local, domestic, or foreign," is new and not in the existing law. The existing law reads:

The said superintendent shall furnish, in December of each year, to every company or association hereinbefore mentioned doing business in the District of Columbia, its agent or attorney—

I think that applies only to local companies. However, that is neither here nor there on this question.

I can see no reason for making these insurance companies pay a very high and exorbitant rate for the publishing of these statements in one of the daily newspapers when that is about the last place that anyone who is specially interested will look for them.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. MOORE of Pennsylvania. Does not the gentleman know that advertising rates in the trade journals are frequently in excess of the rates in the daily newspapers, and that to publish these statements in the trade papers would cost the insurance companies more than it would to publish them in the dailies?

Mr. MANN. That might be in some trade papers, but it would not happen here. The advertising rates in the Washington daily papers are rather high, and the daily papers are not the place where people look for those things.

Mr. KINKEAD of New Jersey. Where do they look for them?

Mr. MANN. In the trade papers.

Mr. KINKEAD of New Jersey. My God, they never read them at all.

Mr. MANN. The gentleman would never look for them in any place, and neither would I; but the insurance agents will look for them in one place, and that is in the trade papers where these advertisements are ordinarily published. Perhaps the gentleman reads the Washington Times. That is a great paper; but an advertisement might be published in it from now until Congress adjourns, and the chances are the gentleman would not take the opportunity to read the advertisements. For that matter they might publish an advertisement in any of the Washingon papers, and I think I would not read the advertisements. The gentleman may have nothing else to do in the House except read the advertisements in the daily papers.

The SPEAKER. The question is on the amendment of the gentleman from Illinois to strike out the word "daily."

The question being taken, the amendment was rejected.

Mr. KINKEAD of New Jersey. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Line 12, page 2, strike out the word "one" and insert the word "two." Strike out the word "newspaper" and insert the word "newspapers." Line 13, page 2, add after the word "published" the words "having the largest circulation."

The SPEAKER. The question is on the amendments offered by the gentleman from New Jersey.

The question was taken, and on a division (demanded by Mr. KINKEAD of New Jersey) there were 8 ayes and 24 noes.

So the amendments were lost.

Mr. JACKSON. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Strike out, in line 7, page 2, the word "classified" and insert after the word "liability," line 8, page 2, the following: "classified according to regulations made by the superintendent of insurance."

Mr. JACKSON. Mr. Speaker, I think the amendment is of importance. I think the experience of all State departments concerning reports will show that the companies file reports in such a shape that they are of little value. They are of no value particularly for the purpose of obtaining the actual experience of fire insurance companies concerning their losses and the rates of insurance.

I have offered this amendment because I have offered a resolution which looks to a national investigation concerning the reasonableness and fairness of fire insurance rates and their relation to fire causes in this country. It is an important subject to the American people at this time.

I simply say now that every superintendent or commissioner of insurance in the country will tell you that he is not able to tell anything about what the actual fire experience and fire losses of a company are, because they refuse to classify losses according to any reasonable plan. Therefore I think while this law is being amended the superintendent of insurance should be given authority to compel these companies, when stating their losses, assets, and liabilities, to so classify them that they will amount to something and give some information to the people.

The SPEAKER. The question is on the amendment offered by the gentleman from Kansas.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question now is on the third reading of the amended Senate bill.

The question was taken, and the bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the votes whereby the last two bills were passed was laid on the table.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 35 minutes p. m.) the House adjourned until to-morrow, Tuesday, August 15, 1911, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Department of Commerce and Labor, recommending that legislation be enacted authorizing the leasing for a period of five years of a fireproof building for general office use by said department (H. Doc. No. 104), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 13560) granting a pension to Filen Whalin, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 13563) to provide for the construction of four revenue cutters; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS of Massachusetts: A bill (H. R. 13564) to purchase a painting of the several ships of the United States Navy known as the Squadron of Evolution and entitled "Peace"; to the Committee on the Library.

By Mr. STONE: A bill (H. R. 13565) making appropriation for the improvement of the Illinois River at Spring Bay, Ill.; to the Committee on Rivers and Harbors.

By Mr. McCOY: A bill (H. R. 13566) for the relief of soldiers and sailors who enlisted or served under assumed names while minors or otherwise in the Army or Navy of the United States during any war with any foreign nation or people; to the Committee on Military Affairs.

Also, a bill (H. R. 13567) providing for the erection of a public building at the city of East Orange, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. WICKLIFFE: A bill (H. R. 13568) to establish in the Department of Agriculture a Bureau of Markets; to the Committee on Agriculture.

By Mr. BURLESON: A bill (H. R. 13569) to regulate the shipment of cotton in bales between the States and Territories and foreign countries and requiring the marking of the tare on each bale and prescribing penalties for deducting excess of weight as tare; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL: A bill (H. R. 13570) to amend an act entitled "An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," approved May 30, 1908; to the Committee on Mines and Mining.

By Mr. HEFLIN: A bill (H. R. 13571) to appropriate money for the eradification of the cotton-boll worm and the caterpillar in the cotton belt of the United States; to the Committee on Agriculture.

By Mr. CAMERON: A bill (H. R. 13572) to authorize and empower special road district No. 1, of Maricopa County, Arizona Territory, to issue bonds in the sum of $20,000 for the purpose of providing a fund for the construction and maintenance of roads, driveways, and highways within the boundaries of special road district No. 1; to the Committee on the Territories.

By Mr. HUGHES of West Virginia: A bill (H. R. 13573) authorizing a survey of New River in Virginia and West Virginia, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. BATES: A bill (H. R. 13574) providing for the retirement of noncommissioned officers, petty officers, and enlisted men of the Army, Navy, and Marine Corps of the United States; to the Committee on Military Affairs.

By Mr. CARTER: A bill (H. R. 13575) to provide for the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations in Oklahoma; to the Committee on Indian Affairs.

Also, a bill (H. R. 13576) providing for the sale of the surface of the segregated mineral lands in Oklahoma and distribution of the proceeds thereof; to the Committee on Indian Affairs.

Also, a bill (H. R. 13577) providing for the sale of the surface of the segregated mineral lands in Oklahoma and distribution of the proceeds thereof; to the Committee on Indian Affairs.

By Mr. CLAYTON: A bill (H. R. 13578) to define and punish contempt of court; to the Committee on the Judiciary.

By Mr. BELL of Georgia: A bill (H. R. 13579) for the relief of the First Georgia State troops; to the Committee on War Claims.

By Mr. HARDWICK: Concurrent resolution (H. Con. Res. 18) to print additional copies of hearings of special committee to investigate American Sugar Refining Co. and others; to the Committee on Printing.

By Mr. CLAYPOOL: Resolution (H. Res. 281) authorizing pay of traveling expenses for certain officers and employees of the House of Representatives; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. ANDREWS: A bill (H. R. 13580) for the relief of Alexander Read; to the Committee on Indian Affairs.

By Mr. BELL of Georgia: A bill (H. R. 13581) granting an increase of pension to Mary M. Evans; to the Committee on Pensions.

Also, a bill (H. R. 13582) granting an increase of pension to Mary E. Baird; to the Committee on Pensions.

Also, a bill (H. R. 13583) granting an increase of pension to Jobery Mullinax; to the Committee on Pensions.

Also, a bill (H. R. 13584) granting an increase of pension to Michael Evert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13585) granting an increase of pension to William F. Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13586) granting an increase of pension to Martin K. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13587) granting a pension to William J. Shedd; to the Committee on Pensions.

Also, a bill (H. R. 13588) granting a pension to Swinfield Stanley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13589) granting a pension to Pinckney P. Chastain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13590) granting an increase of pension to Elisha Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13591) granting a pension to Sarah L. Bowen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13592) granting a pension to John L. Holt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13593) granting a pension to William S. Kemp; to the Committee on Pensions.

Also, a bill (H. R. 13594) granting a pension to Willis S. Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13595) granting a pension to Toliver W. Corn; to the Committee on Pensions.

Also, a bill (H. R. 13596) for the relief of the heir of W. W. W. Fleming; to the Committee on War Claims.

Also, a bill (H. R. 13597) for the relief of Mrs. F. E. Chandler; to the Committee on War Claims.

Also, a bill (H. R. 13598) for the relief of William J. Cochran; to the Committee on War Claims.

Also, a bill (H. R. 13599) granting a pension to Robert Shope; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13600) granting an increase of pension to Robert C. Wallace; to the Committee on Pensions.

Also, a bill (H. R. 13601) for the relief of the heirs of William Woods; to the Committee on Claims.

Also, a bill (H. R. 13602) for the relief of heirs of William Fenn, deceased; to the Committee on War Claims.

Also, a bill (H. R. 13603) for the relief of the heirs of John C. Addison, deceased; to the Committee on War Claims.

Also, a bill (H. R. 13604) for the relief of the heirs of John C. Addison, deceased; to the Committee on War Claims.

Also, a bill (H. R. 13605) for the relief of New Hope Baptist Church, of Bartow County, Ga.; to the Committee on War Claims.

Also, a bill (H. R. 13606) for the relief of G. A. Anderson; to the Committee on War Claims.

Also, a bill (H. R. 13607) for the relief of G. A. Anderson; to the Committee on War Claims.

Also, a bill (H. R. 13608) for the relief of Jeptha B. Harrington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13609) for the relief of George W. Burrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13610) for the relief of Milton Holt; to the Committee on Military Affairs.

Also, a bill (H. R. 13611) for the relief of Samuel Garner; to the Committee on Military Affairs.

Also, a bill (H. R. 13612) for the relief of Hiram A. Darnell; to the Committee on Military Affairs.

Also, a bill (H. R. 13613) for the relief of George W. Hansard; to the Committee on War Claims.

Also, a bill (H. R. 13614) for the relief of William T. Edwards; to the Committee on Military Affairs.

Also, a bill (H. R. 13615) for the relief of James H. Hendricks; to the Committee on War Claims.

Also, a bill (H. R. 13616) granting a pension to Jackson A. Watkins; to the Committee on Pensions.

Also, a bill (H. R. 13617) granting a pension to Robert Wilson; to the Committee on Pensions.

Also, a bill (H. R. 13618) granting a pension to William A. Senkbeil; to the Committee on Pensions.

Also, a bill (H. R. 13619) granting a pension to Elizabeth Mullins; to the Committee on Pensions.

Also, a bill (H. R. 13620) granting a pension to Elizabeth Mullins; to the Committee on Pensions.

Also, a bill (H. R. 13621) granting a pension to Arelia C. Pool; to the Committee on Pensions.

Also a bill (H. R. 13622) granting a pension to Elizabeth Gibbs; to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 13623) granting an increase of pension to Noah Dujardin; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 13624) granting a pension to Edward Pfister; to the Committee on Pensions.

By Mr. COOPER: A bill (H. R. 13625) granting an increase of pension to Emil Wiegleb; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 13626) granting a pension to Martha Pinnick; to the Committee on Pensions.

By Mr. FOWLER: A bill (H. R. 13627) granting a pension to Rachael Milhorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13628) granting a pension to Nerva Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13629) granting an increase of pension to James M. Alderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13630) granting an increase of pension to William Fuffstuttler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13631) granting an increase of pension to Calvary Cox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13632) granting an increase of pension to William Denham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13633) granting a pension to Julia Schafer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13634) granting an increase of pension to John B. Standerfer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13635) granting an increase of pension to W. A. Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13636) granting an increase of pension to Milton Franklin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13637) granting an increase of pension to J. A. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13638) granting an increase of pension to William H. H. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13639) granting an increase of pension to Abraham A. Gossett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13640) granting an increase of pension to Gideon B. Mahan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13641) granting an increase of pension to William F. Ross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13642) granting an increase of pension to Levi T. E. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13643) granting an increase of pension to William Frailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13644) granting an honorable discharge to James Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13645) granting an increase of pension to Jacob Bruder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13646) granting an increase of pension to Daniel Banks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13647) granting an increase of pension to James A. Beard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13648) granting an increase of pension to George A. Clevinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13649) granting an honorable discharge to James Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13650) granting an increase of pension to William M. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13651) granting an increase of pension to Lewis Dailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13652) granting an honorable discharge to Morton Sessions; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13653) granting an honorable discharge to Jacob Barger; to the Committee on Military Affairs.

By Mr. JACOWAY: A bill (H. R. 13654) granting a pension to James C. Williams; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 13655) for the relief of Drenzy A. Jones and John G. Hopper, joint contractors, for surveying Yosemite Park boundary and for damages for illegal arrest while making said survey; to the Committee on Claims.

By Mr. McKINLEY: A bill (H. R. 13656) granting a pension to Robert H. M. McFadden; to the Committee on Invalid Pensions.

By Mr. PUJO: A bill (H. R. 13657) for the relief of the legal representatives of John Calliham; to the Committee on War Claims.

By Mr. RAKER: A bill (H. R. 13658) granting an increase of pension to William H. Copper; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 13659) for the relief of Mrs. Sultana S. Farrell; to the Committee on Claims.

By Mr. SPARKMAN: A bill (H. R. 13660) granting a pension to James Duff; to the Committee on Pensions.

Also, a bill (H. R. 13661) granting a pension to Herbert Green; to the Committee on Pensions.

Also, a bill (H. R. 13662) granting a pension to James E. Whitehead; to the Committee on Pensions.

Also, a bill (H. R. 13663) granting an increase of pension to Calvin C. Collier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13664) granting an increase of pension to John Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13665) granting an increase of pension to Stephen Phillips; to the Committee on Pensions.

By Mr. SWITZER: A bill (H. R. 13666) granting a pension to Rosa Baldwin; to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 13667) granting an increase of pension to David Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13668) granting an increase of pension to James B. Gordon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13669) granting an increase of pension to Jehu H. McLain, alias Michael McLain; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 13670) granting a pension to Martha E. Tadlock; to the Committee on Pensions.

By Mr. TALBOTT of Maryland: A bill (H. R. 13671) granting an increase of pension to William Thomas Hunt; to the Committee on Invalid Pensions.

By Mr. WARBURTON: A bill (H. R. 13672) granting an increase of pension to Van Ogle; to the Committee on Pensions.

Also, a bill (H. R. 13673) granting an increase of pension to Eligah A. Myers; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ESCH: Petition of citizens of Wisconsin in favor of legislation to forbid the shipment of liquor into "dry" States; to the Committee on Alcoholic Liquor Traffic.

By Mr. FULLER: Petition of citizens of Streator, Ill., urging the creation of a department of health; to the Committee on Interstate and Foreign Commerce.

By Mr. GOLDFOGLE: Resolutions of District Grand Lodge, No. 2, Independent Order B'nai B'rith, relating to Russia's refusal to honor passports of Jewish American citizens, and favoring abrogation of Russian treaty, as proposed by the Goldfogle-Harrison-Sulzer resolutions (H. J. Res. 5 and 30); to the Committee on Foreign Affairs.

By Mr. GRAHAM: Petition of Edmund Miller, of Rochester, Ill., asking for the passage of the Webb interstate-commerce bill; to the Committee on Interstate and Foreign Commerce.

By Mr. JACOWAY: Papers to accompany House bill 13205; to the Committee on Military Affairs.

Also papers to accompany House bills 13206, 13207, and 13214; to the Committee on Pensions.

Also, papers to accompany House bill 13213, granting an increase of pension to Albion Jackson; to the Committee on Invalid Pensions.

By Mr. KAHN: Resolutions of Lincoln Post, No. 1, Grand Army of the Republic, of San Francisco, Cal., against Senate bill 2925, appropriating $125,000 for a Confederate naval monument at Vicksburg, Miss.; to the Committee on Appropriations.

By Mr. KORBLY: Petition of James W. Duhamell and others, of Indianapolis, Ind., requesting an investigation into conditions at the Federal prison at Fort Leavenworth, Kans.; to the Committee on Military Affairs.

By Mr. MARTIN of South Dakota: Resolutions of Jack Foster Camp, No. 3, United Spanish War Veterans, Department of South Dakota, urging that pensions be granted honorably discharged veterans of the Spanish War, etc.; to the Committee on Invalid Pensions.

By Mr. PUJO: Affidavits in re claim of estate of James Calliham for horses, sugar, etc.; to the Committee on War Claims.

By Mr. RAKER: Papers to accompany House bill 5277, granting a pension to Arthur B. Brooks; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12501, granting a pension to Zebina M. Hunt; to the Committee on Pensions.

By Mr. SHEPPARD: Papers to accompany House bill 13554, for the relief of the heirs of Simon Kirkpatrick, deceased; to the Committee on War Claims.

By Mr. STEPHENS of Texas: Petition of Keetoomah Band of Cherokee Indians, against the further enrollment of Indians of that tribe; to the Committee on Indian Affairs.

By Mr. WEBB: Petitions of citizens of Morganton and Kings Mountain, N. C., and of Jesse Herrell, of Ewart, N. C., asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

SENATE.

TUESDAY, *August 15, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The VICE PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills, which had heretofore been signed by the Speaker of the House of Representatives:

S. 2932. An act to authorize the Secretary of the Treasury, in his discretion, to sell the old post-office and courthouse building at Charleston, W. Va., and, in the event of such sale, to enter into a contract for the construction of a suitable post-office and courthouse building at Charleston, W. Va., without additional cost to the Government of the United States;

S. 3152. An act extending the time of payment to certain homesteaders in the Rosebud Indian Reservation, in the State of South Dakota; and

H. R. 2925. An act to extend the privileges of the act approved June 10, 1880, to the port of Brownsville, Tex.

EXECUTIVE SESSION.

Mr. LODGE. It is necessary to have an executive session for a very few minutes. It will take only a few minutes on a matter that is important. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 45 minutes spent in executive session the doors were reopened.